

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

JENNIFER MILLER,	)	Case No. 5:20-cv-01743-JRA
	)	
Plaintiff,	)	Judge John R. Adams
	)	
vs.	)	
	)	
MICHAEL J. ANDERSON, et al.,	)	
	)	
Defendants.	)	

**APPLICATION FOR APPOINTMENT OF WILLIAM B. FEDERMAN,  
MARC E. DANN, AND THOMAS A. ZIMMERMAN, JR.  
AS PLAINTIFFS' INTERIM CO-LEAD COUNSEL**

COMES NOW William B. Federman (“Mr. Federman”) of Federman & Sherwood, Marc E. Dann (“Mr. Dann”) of DannLaw, and Thomas A. Zimmerman, Jr. (“Mr. Zimmerman”) of Zimmerman Law Offices, P.C. (collectively, “Proposed Plaintiffs’ Interim Co-Lead Counsel”), and, pursuant to the Court’s Order dated July 13, 2022 (ECF No. 332) submit this application seeking appointment as Plaintiffs’ interim co-lead counsel. In addition to these firms having jointly prosecuted cases together in this District,<sup>1</sup> and as demonstrated in the attached exhibits, Proposed Plaintiffs’ Interim Co-Lead Counsel have substantial experience prosecuting complex class actions.

In the July 13, 2022 Order, the Court opined, “the Court will appoint counsel that will be willing to diligently prosecute this matter and seek approval from this Court of any potential resolution, if one is reached, as required by rule.” *Id.* Proposed Plaintiffs’ Interim Co-Lead Counsel will do precisely that.

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<sup>1</sup> See *In re Sonic Corp. Customer Data Sec. Litig.*, Case No. 1:17-MD-2807-JSG (N.D. Ohio).

In support of their application, Proposed Plaintiffs' Interim Co-Lead Counsel state as follows:

## **I. INTRODUCTION**

“Absent persuasive evidence to the contrary, the court assumes that nominations and votes for lead counsel are made in good faith for reasons that benefit the client.” *In re Aluminum Phosphide Antitrust Litig.*, 1994 WL 481847, at \*7 (D. Kan. May 17, 1994); *see also In re Wendy's Co. S'holder Derivative Litig.*, No. 1:16-cv-1153, 2018 WL 6605394, at \*2 (S.D. Ohio Dec. 17, 2018) (quoting *Kubiak v. Barbas*, No. 3:11-cv-141, 2011 WL 2443715, at \*2 (S.D. Ohio June 14, 2011) (“[C]ounsel’s ability to make inclusive efforts on behalf of all plaintiffs is an ‘essential attribute’ for lead counsel.”)); *Manual for Complex Litigation* §§ 10.22 (noting desirability of “the attorneys coordinat[ing] their activities without the court’s assistance”), 10.272 (describing “private ordering” approach).

## **II. PROPOSED PLAINTIFFS' INTERIM CO-LEAD COUNSEL ARE COMPETENT AND QUALIFIED**

Proposed Plaintiffs' Interim Co-Lead Counsel will work diligently to prosecute this action in the best interest of the shareholders. As described more fully, *infra*, Proposed Plaintiffs' Interim Co-Lead Counsel all have ample experience in large scale complex litigation, including shareholder derivative actions. Here, “[t]here is no dispute that these firms have adequate experience in class actions and complex litigation, adequate knowledge of the applicable law, and abundant resources.” *Dorn v. Mueller*, 2010 WL 2232418, at \*2 (D. Colo. May 28, 2010).

### **A. William B. Federman**

Mr. Federman has experience in shareholder derivative litigation, as well as leadership experience in this District.

Mr. Federman, the founder of Federman & Sherwood, has more than forty (40) years of diverse, hands-on, trial, appellate, shareholder derivative, data breach, complex financial fraud, commercial, consumer, and class action litigation experience, representing both plaintiffs and defendants in federal and state courts as well as arbitration forums across the United States, with extensive experience in complex e-discovery matters. Mr. Federman has litigated claims similar to those asserted here in other shareholder derivative cases at the top management levels, as well as extensive experience as lead counsel in other consumer class actions and MDLs. Additional information regarding Mr. Federman, including a select list of cases where Mr. Federman has served or is serving as lead or co-lead counsel, is set forth in Mr. Federman's Firm Bio, attached hereto **Exhibit 1**. The attached Firm Bio also includes biographies of the other attorneys and staff employed by Federman & Sherwood. Mr. Federman will be assisted by attorneys Sara E. Collier and Molly E. Brantley from Federman & Sherwood who each have experience in prosecuting complex cases and shareholder derivative actions.

Federman & Sherwood maintains offices in Oklahoma City and Dallas, Texas, and is one of the leading AV-rated plaintiff law firms in the country. This firm has been retained by all classes of plaintiffs, from large closely held corporations to individual citizens. Because of its success, Federman & Sherwood has assisted in numerous cases to fund litigation expenses in excess of \$1 million. Mr. Federman will not use outside funding or borrow money to pursue this case.

Federman & Sherwood has been appointed as lead counsel in this District by Judge James Gwin (*see In re Sonic Corp. Customer Data Sec. Litig.*, Case No. 1:17-MD-2807, N.D. Ohio). Mr. Federman was appointed as interim lead counsel following a unanimous and unopposed application. Mr. Dann served as liaison counsel in *Sonic*, and Mr. Zimmerman was a member of the Plaintiffs' Steering Committee.

Federman & Sherwood recently settled a complex shareholder derivative suit against the Southern Company in the Superior Court of Gwinnett County, Georgia (*Martin J. Kobuck, et al. v. the Southern Company, et al.*, Case No. 17-A-04758-10). There, Federman & Sherwood worked cooperatively with a number of other law firms representing shareholders in a parallel federal court consolidated action, as well as defense counsel.

Likewise, Federman & Sherwood is currently prosecuting a shareholder derivative action against Altria Group, Inc. (*Merritts v. Altria Group, Inc.*, Case No. CL21-1093, Circuit Court for Albermarle County, Virginia) where Federman & Sherwood is again working cooperatively with a large group of diverse plaintiffs' counsel in parallel state court and federal court shareholder derivative actions.

**B. Marc E. Dann**

Mr. Dann is the managing partner of DannLaw firm. He is also a partner of Advocate Attorneys LLP in Washington, DC. These practices focus on representing clients who have been harmed by banks, debt buyers, debt collectors and other financial predators, and providing access to legal services for traditionally underserved working-class and middle-class Americans. Mr. Dann has fought for the rights of tens of thousands of consumers, and brought class action lawsuits on behalf of clients in both private practice and as Ohio's Attorney General.

As Ohio Attorney General, Mr. Dann initiated securities fraud claims against the creators of mortgage-backed securities on behalf of Ohio's public pension funds. He assembled Ohio's Organized Crime Commission to mobilize Mortgage Fraud Task Forces in Ohio's major cities to prosecute those engaged in mortgage fraud and predatory lending. Mr. Dann's office challenged the standing of mortgage servicers to foreclose in cases where the State of Ohio was a party. Mr. Dann also worked with former Ohio Supreme Court Chief Justice Thomas Moyer to organize over 1,200 volunteer lawyers to represent homeowners in foreclosure.

After leaving the Attorney General's Office, Mr. Dann began representing Ohio homeowners facing foreclosure *pro bono*. During this time, he recognized that the issues faced by individual homeowners represented patterns of practice throughout the mortgage servicing industry. In response, he mobilized a team and created DannLaw in order to fight for the rights of Ohioans.

Since DannLaw was founded, it has grown to represent clients facing a range of consumers' rights issues including in class action litigation. While the mortgage servicing litigation practice is the foundation of DannLaw, Mr. Dann has developed a comprehensive collection of tools designed to help clients stay in their homes, including prosecuting more than twenty-five (25) class action cases. He is a recognized national leader in the use of federal mortgage servicing regulations to hold servicers accountable for their actions. Utilizing these tools, Mr. Dann hosts seminars explaining these techniques to other attorneys. These working groups help to elevate the defense of clients across the nation while allowing attorneys to recognize patterns of practice that affect all citizens.

Mr. Dann is currently acting as appointed lead counsel in two pending matters—*Madyda v. Ohio Department of Public Safety*, Ohio Court of Claims Case No. 2019-00426JD, and *Miles Black, et al. v. City of Girard, Ohio, et al.*, Trumbull County Court of Common Pleas Case No. 2018 CV 1256. Mr. Dann is currently serving as liaison counsel in *Migliaccio, et al. v. Parker-Hannifin Corporation*, N.D. OH Case No. 1:22-cv-00835, and liaison counsel for the Guardians of NAS Children in *In re: National Prescription Opiate Litigation*, N.D. OH Case No. 17-md-02804. Mr. Dann has previously been appointed and served as lead (or co-lead) counsel in other class action lawsuits, including *Lieber, et al. v. Wells Fargo Bank, N.A.*, N.D. OH Case No. 1:16-cv-02868, *Miller, et al. v. Intelelos, Inc.*, N.D. OH Case No. 1:17-cv-00763, *Koustis, et al. v. Select*

*Portfolio Servicing*, N.D. OH Case No. 1:20-cv-02425, and *Ryder, et al v. Wells Fargo Bank, N.A.*, S.D. OH Case No. 1:19-cv-00638. Mr. Dann is currently acting as putative co-class counsel in at least sixteen (16) other class actions pending in courts across the country.

A copy of DannLaw's Firm Bio is attached hereto as **Exhibit 2**. The attached Firm Bio also includes biographies of the other attorneys and staff employed by DannLaw. Mr. Dann will be assisted by attorneys Brian D. Flick and Andrew Wolf from DannLaw who each have experience in prosecuting complex cases.

Of note, Mr. Dann and the attorneys at DannLaw represented the whistleblower, Michael Pircio, who was sued by FirstEnergy Corp. and Clearsulting LLC for retaliation after Mr. Pircio submitted FirstEnergy financial records to the Securities and Exchange Commission ("SEC") so the SEC could investigate FirstEnergy's wrongdoing. Mr. Pircio worked for Clearsulting, a company that provided outside audit services to FirstEnergy. Mr. Dann successfully obtained a dismissal of the lawsuit against Mr. Pircio under the Defend Trade Secrets Act, which affords Mr. Pircio immunity against civil liability as he submitted the documents to the SEC to report FirstEnergy's violations of federal laws that give rise to this shareholder derivative suit. *See* Order entered March 8, 2021 by Judge Calabrese in *FirstEnergy Corp., et al. v. Michael Pircio*, Case No. 1:20-cv-1966 (N.D. OH) (ECF No. 30).

**C. Thomas A. Zimmerman, Jr.**

Mr. Zimmerman is the founder and owner of Zimmerman Law Offices, P.C. With over 25 years of experience, Mr. Zimmerman practices extensively and has obtained multi-million dollar jury verdicts and settlements in class action, corporate, commercial, consumer fraud, constitutional due process, general civil, product liability, toxic tort, and other complex litigation. He represents both plaintiffs and defendants nationwide in state and federal trial and appellate courts. He also represents individuals and corporations in transactional matters, and before state and federal

administrative and regulatory agencies.

In 2017, 2018, 2019, 2020, 2021, and 2022, Mr. Zimmerman was selected as a *Super Lawyer* in the area of class action and mass torts.

Mr. Zimmerman has been appointed class counsel or on the Plaintiffs' Steering Committee in dozens of national and state-wide class action lawsuits, and has handled other multi-party litigation involving such companies as MCI/Worldcom, United Airlines, Peoples Gas, AT&T, Warner-Lambert, Pfizer, Liberty Mutual Insurance Co., DaimlerChrysler, ADT, Ford Motor Co., Mead Johnson, KCBX, Inland Bank, Commonwealth Edison, Ameritech, Wells Fargo, and Bridgestone/Firestone. Several of these cases involved allegations of corporate misconduct, misleading statements, and fraud, including a \$62 million recovery in *Joseph v. Beiersdorf North America, Inc.*, No. 11 CH 20147 (Cook Cnty, IL), a \$31 million recovery in *In re Chicago Sun-Times Circulation Litigation*, No. 04 CH 9757 (Cook Cnty, IL), a \$14 million recovery in *Bergman, et al. v. DAP Products, Inc., et al.*, No. 14 cv 3205 (D. MD), and an \$11.2 million recovery in *In re Ashley Madison Customer Data Security Breach Litigation*, MDL No. 2669 (E.D. MO).

Judges in the Northern District of Ohio appointed Mr. Zimmerman as class counsel in *Lieber, et al. v. Wells Fargo Bank, N.A.*, N.D. OH Case No. 1:16-cv-02868, *Miller, et al. v. Intelelos, Inc.*, N.D. OH Case No. 1:17-cv-00763, and *Koustis, et al. v. Select Portfolio Servicing*, N.D. OH Case No. 1:20-cv-02425, and to the Plaintiff's Steering Committee in *In re Sonic Corp. Customer Data Sec. Litig.*, N.D. OH Case No. 1:17-MD-2807.

Mr. Zimmerman has also litigated shareholder derivative suits, including a recent settlement in *Dorvit, et al. v. Winemaster, et al.*, No. 17 cv 1097 (N.D. IL), that was affirmed on appeal. The Seventh Circuit Court of Appeals held that the settlement was in the best interest of

the corporation and all its shareholders, and that counsel for the shareholders fairly represented the interests of the shareholders in enforcing the rights of the corporation. 950 F.3d 984 (7th Cir. 2020).

Throughout Mr. Zimmerman's extensive litigation experience, he maintains a focus on professionalism and ethics. In 2003, the Illinois Supreme Court appointed Mr. Zimmerman to the Review Board of the Attorney Registration and Disciplinary Commission ("ARDC"). He served in that capacity until 2011, wherein he presided over appeals by attorneys who have been found to have committed misconduct, and recommended discipline for their ethical violations. In 2013, the ARDC appointed Mr. Zimmerman as Special Counsel, wherein he conducts independent investigations in matters involving allegations of misconduct against attorneys associated with the ARDC. Additionally, the Illinois Governor appointed Mr. Zimmerman to the Illinois Courts Commission in 2003. A Commission member presides over proceedings wherein judges are charged with committing ethical violations, and imposes discipline on judges who are found to have engaged in misconduct. Mr. Zimmerman has served as a Commission member continuously since his appointment. Mr. Zimmerman brings that dedication to professionalism in his interactions with clients, opposing counsel, and the court.

A copy of Zimmerman Law Offices, P.C.'s Firm Bio is attached hereto as **Exhibit 3**. The attached Firm Bio includes a select list of cases in which Mr. Zimmerman obtained class recoveries, and pending class action cases, as well as biographies of other attorneys at the firm. Mr. Zimmerman will be assisted by attorneys Sharon Harris and Matt De Re, who each have extensive experience in prosecuting complex commercial and class action cases.

### **III. CONCLUSION**

For the reasons stated herein, William B. Federman, Marc E. Dann, and Thomas A. Zimmerman, Jr. seek appointment as Plaintiffs' interim co-lead counsel, and for any other relief the Court deems just under the circumstances.



Dated: July 22, 2022

Respectfully submitted,

/s/ Marc E. Dann

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Brian D. Flick (0081605)

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*Proposed Plaintiffs' Interim Co-Lead  
Counsel*

*\*pro hac vice applications forthcoming*

# EXHIBIT 1

# FEDERMAN & SHERWOOD

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## FIRM RESUME

**WILLIAM B. FEDERMAN.** Education: Boston University (B.A., cum laude, 1979); University of Tulsa (J.D., 1982); Phi Alpha Delta (Treasurer, 1980-1982). Admitted to practice: United States District Courts for the following Districts: Western, Northern and Eastern, Oklahoma; Eastern and Southern, New York; Southern, Northern, Eastern and Western, Texas; Eastern and Western, Arkansas; District of Columbia; District of Colorado; Northern, Ohio; United States Court of Appeals for the following Circuits: First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth and Eleventh and Federal; and United States Supreme Court. Lectures/Publications: “Class Actions, New Rules and Data Breach Cases,” 40<sup>th</sup> Annual OCBA Winter Seminar 2019; “A Case Study of Ethical Issues in Complex Litigation and Trends in Class Certification,” 39<sup>th</sup> Annual OCBA Winter Seminar, 2018; “Talkin’ About Insurance Coverage and Complex Litigation: What Every Lawyer and Client Should Know,” 38<sup>th</sup> Annual OCBA Winter Seminar, 2017; “Securities Litigation: Using Data to Make the Case,” by Bloomberg BNA, 2016; “The Changing Landscape for Prosecution of Financial Claims Involving Insolvent Companies” 37<sup>th</sup> Annual OCBA Winter Seminar, 2016; “Current Status of Securities Class Actions: Where are the Courts Taking Us?” Houston Bar Association, 2014. “Class & Derivative Actions and Securities Litigation,” 2013 Annual Meeting of the American Bar Association; “Litigation and Employment Law Update,” Securities Industry Association Compliance and Legal Division; “Inside a Disclosure Crisis”, 30<sup>th</sup> Annual Northwest Securities Institute Annual Meeting and sponsored by the Washington Bar Association; “Managing Directors’ Liability,” 3<sup>rd</sup> Annual Energy Industry Directors Conference and sponsored by Rice University; “Executive Liability - 2009 D & O Market Trends,” Chartis Insurance; “Derivative Actions and Protecting the Corporation – Critical Issues in Today’s Banking,” Oklahoma Bar Association and the Oklahoma Bankers Association; “Arbitration - What Is It? Why Should a Lawyer Suggest or Use It?,” Oklahoma Bar Association; “The Attorney and Accountant as Targets in Failed Financial Institution Litigation,” American Bar Association Trial Practice Committee; “Effective Arbitration in the 1990’s - Adapting to Build a Successful Practice,” Oklahoma County Bar Association; “Current Issues in Direct Investments and Limited Partnerships: The Litigation Scene From All Perspectives,” American Bar Association Litigation Section; “Stockbroker Litigation and Arbitration,” Securities Arbitration Institute. Author: “Who’s Minding the Store: The Corporate Attorney-Client Privilege,” 52 O.B.J. 1244, 1981; “Potential Liability From Indirect Remuneration in Private Oil and Gas Offerings,” 11 Sec. Reg. L.J. 135, 1983; “Capitalism and Reality Meet in the Courts. . . Finally,” 59 O.B.J. 3537, 1987; “Class Actions, New Rules & Data Breach Cases,” Annual OCBA Winter Seminar, 2019. Membership: Arbitration Panel, New York Stock Exchange; Federal Bar Association; Oklahoma County Bar Association (Committee on Professionalism, 1987-1990); Oklahoma Bar Association (Civil Procedure/Evidence Code, Lawyers Helping Lawyers Assistance Program and Rules of Professional Conduct Committees, 2017-2020); American Bar Association (Committee on Securities Litigation and Corporate Counsel); American Inns of Court (Barrister 1990-1993 and Master 2002-2004); inducted into the Outstanding Lawyers of America, 2003; received the Martindale-Hubbell peer review rating of AV Preeminent in both ethical standards and legal ability; recognized as one of the “Top Lawyers of 2013” for excellence and achievements in the legal community; Litigation Counsel of America (Trial Lawyer & Appellate Lawyer Honorary Society). Awards/Honors: Securities Litigation and Arbitration Law Firm of the Year in Oklahoma – 2018 (Global Law Experts Annual Awards); Securities Litigation and Arbitration Law Firm of the Year in Oklahoma – 2019, 2020 (Corporate INTL Magazine); Oklahoma Super Lawyers list by Thomson Reuters – 2019; Recognized for Exceptional Service and Outstanding Performance on behalf

of the Federal Bar Association (Oklahoma City Chapter) Pro Bono Program – 2018-2019, 2020, Oklahoma Super Lawyer for 2022.

**STUART W. EMMONS. (In Memoriam)** Education: University of Oklahoma (J.D., 1987, with distinction); University of Oklahoma (B.B.A., Accounting, 1984, with distinction). Admitted to practice: 1987, Oklahoma; 1987, U.S. District Court for the Western District of Oklahoma; 1990, U.S. District Court for the Northern District of Oklahoma; 1992, U.S. Court of Appeals, Tenth Circuit; 1994, U.S. Court of Appeals, Eighth Circuit; U.S. Patent and Trademark Office; 2002, U.S. District Court for the District of Colorado; U.S. District Court for the Southern District of Texas; 2003, U.S. Court of Appeals, Second Circuit; 2004, U.S. District Court for the Northern District of Texas; U.S. Court of Appeals, Fifth Circuit; 2005, United States Supreme Court; 2005 U.S. Court of Appeals, Fourth Circuit; 2015, U.S. Court of Appeals, First Circuit; 2016, U.S. Court of Appeals, Ninth Circuit and U.S. Court of Appeals for the First Circuit. 1988-1989, Law Clerk to the Hon. Layn R. Phillips, U.S. District Court for the Western District of Oklahoma. Published Decisions: *American Fidelity Assurance Company v. The Bank of New York Mellon*, 810 F.3d 1234 (10<sup>th</sup> Cir. 2016); *Paul Spitzberg v. Houston American Energy Corporation, et al.*, 758 F.3d 676 (5<sup>th</sup> Cir. 2014); *Patipan Nakkhumpun v. Daniel J. Taylor, et al.*, 782 F.3d 1142 (10<sup>th</sup> Cir. 2015); Membership: Oklahoma County and Oklahoma Bar Associations.

**SARA E. COLLIER.** Education: Oklahoma Christian University (B.S. 2000); Oklahoma City University School of Law (J.D. 2004). Admitted to practice: 2005, Oklahoma; 2005, U.S. District Courts for the Western, Eastern and Northern Districts of Oklahoma; 2007, U.S. District Court for the Southern District of Texas; and 2007, United States Court of Appeals for Veterans Claims in Washington, DC. Membership: Oklahoma Bar Association, American Bar Association.

**MOLLY E. BRANTLEY.** Education: University of Oklahoma (B.A., 2013); Oklahoma City University School of Law (J.D., 2017; Merit Scholar 2014-2017). Admitted to practice: Oklahoma, 2017; United States District Court for the Northern District of Oklahoma; United States District Court for the Western District of Oklahoma, 2020. Membership: Oklahoma Bar Association; Federal Bar Association.

**D. COLBY ADDISON.** Education: University of Oklahoma (B.S., 2013); University of Oklahoma (J.D., 2016). Admitted to practice: Oklahoma, U.S. District Courts for the Western, Eastern and Northern Districts of Oklahoma, 2016. Membership: Oklahoma Bar Association; Federal Bar Association, Oklahoma Employment Lawyers Association, National Employment Lawyers Association. Mr. Addison is experienced in all aspects of complex litigation and has successfully litigated numerous class actions from inception through discovery and court approved settlement. Prior to joining Federman & Sherwood, Mr. Addison was a co-founder of a firm that specialized in wage and hour collective action and discrimination cases. Mr. Addison has earned the distinction of SuperLawyers for 2019, 2020, and 2021. He has been a featured speaker and lecturer on labor and employment law topics, including as a CLE educator. Mr. Addison has served as Lead or Co-Lead for Plaintiffs in multiple complex litigation cases.

#### **OF COUNSEL:**

**JOHN CHARLES SHERWOOD.** Education: Texas Christian University, (BBA, magna cum laude, 1981); Baylor School of Law (J.D., 1984). Areas of Practice: Litigation. Board Certified: Civil Trial Law, Personal Injury Trial Law, Texas Board of Legal Specialization. Organizations: Texas Trial Lawyers, Association of Trial Lawyers of America, Dallas Trial Lawyers Association, Dallas Bar Association, Former Chairperson of the Solo and Small Firm Section of the Dallas Bar Association (1999), Member of the College of the State Bar of Texas, and founding President of Citizens For a Fair Judiciary (Political

Action Committee). Licenses and Courts of Practice: Member of the State Bar of Texas, National Board of Trial Advocacy, Licensed as a Certified Public Accountant by the Texas State Board of Public Accountancy, admitted to practice before the United States Tax Court, United States District Court, Northern District of Texas, United States Fifth Circuit Court of Appeals, and the United States Supreme Court. Papers Presented: *Other People's Money*, Presented to the Dallas Bar Association, Solo and Small Firm Section; Recognition: "Top Attorneys in Texas, Business Litigation," (2012).

**JOSHUA D. WELLS.** Education: Oklahoma Baptist University (B.A. 2004); Oklahoma City University College of Law (J.D. 2008) (Dean's List, Faculty Honor Roll, OCU American Trial Lawyers Association Moot Court Team, 2008; Staff Member, Law Review, 2006-07; Executive Editor, Law Review, 2007-08). Admitted to practice: 2008, Oklahoma; Federal Bar Association; American Bar Association; U. S. District Court for the Western District of Oklahoma; 2009, U.S. District Court for the Eastern District of Oklahoma; 2011, U.S. District Court for the Northern District of Oklahoma; 2012, U.S. Court of Appeals for the Tenth Circuit; 2016, U.S. Court of Appeals, Fourth Circuit. Member: Oklahoma Bar Association. Publication: *Stuck in the Mire: The Incomprehensible Labor Law*, 34 Okla. City U.L. Rev. 131 (2009). Experience: Research Assistant to J. William Conger, General Counsel and Distinguished Lecturer of Law, Oklahoma City University and President of the Oklahoma Bar Association (2007-08). General Counsel for Reaching Souls International (2013-2016). Mr. Wells has significant experience in complex and class action litigation in various state and federal courts, with more than a decade of experience protecting consumer and shareholder rights. Mr. Wells knows how to efficiently prosecute complex cases to conclusion and practices in areas of estate planning, probate, and guardianships for both children and adults. He is the recipient of the Federal Bar Association Pro Bono Exceptional Service Award (2019) and is a leader in his church.

**A. BROOKE MURPHY.** Education: Oklahoma City University (B.A. summa cum laude, 2005; Robert L. Jones Outstanding Senior Paper Award; Women's Leadership Award); University of Oklahoma College of Law (J.D. 2010, with honors; Dean's List; First Amendment Moot Court Team; Assistant Articles Editor of Oklahoma Law Review). Admitted to practice: Oklahoma, 2010; U.S. District Court for the Western District of Oklahoma, 2010; U.S. District Court for the Northern District of Texas, 2010; Tenth Circuit Court of Appeals, 2014; First Circuit Court of Appeals and Ninth Circuit Court of Appeals, 2016; Second Circuit Court of Appeals, 2021. Published Decisions: *Paul Spitzberg v. Houston American Energy Corporation, et al.*, 758 F.3d 676 (5th Cir. 2014); *Patipan Nakkhumpun v. Daniel J. Taylor, et al.*, 782 F.3d 1142 (10th Cir. 2015); *Angley v. UTi Worldwide Inc.*, 311 F. Supp. 3d 1117 (C.D. Cal. 2018); *Mulderrig v. Amyris, Inc.*, 492 F. Supp. 3d 999 (N.D. Cal. 2020); *McFarlane v. Altice USA, Inc.*, 524 F. Supp. 3d 264 (S.D.N.Y. 2021). Publication: *Credit Rating Immunity? How the Hands-Off Approach Toward Credit Rating Agencies Led to the Subprime Credit Crisis and the Need for Greater Accountability*, 62 Okla. L. Rev. 735 (2010). Membership: Oklahoma Bar Association. Recognition: *Oklahoma Super Lawyers*, "Rising Star," 2020, 2021, 2022.

#### **PARALEGALS:**

**NANCY G. BEATTY.** Mrs. Beatty has over thirty-five years of legal experience. She primarily works on coordinating and administering of class actions and other complex litigation. Ms. Beatty has served on several professional advisory boards in Oklahoma and Tennessee.

**SHARON J. KING.** Ms. King has worked in the legal community for over twenty years, after having worked in the securities and insurance industry for over fifteen years. She primarily works on insurance and civil litigation.

FEDERMAN & SHERWOOD  
Page 4

**JANE E. ADAMS.** Mrs. Adams has over 25 years of Administrative and Finance experience focusing her career on Human Resources. Additionally, she has first-hand experience with FEMA response as well as government contractual administration.

**TIFFANY R. PEINTNER.** Mrs. Peintner has worked in the legal community for over ten years. Before joining Federman & Sherwood, Mrs. Peintner worked in patent law, oil and gas, probate, banking and real estate, family law, personal injury and insurance defense. She works in securities and civil litigation for the firm.

**FRANDELIND V. TRAYLOR.** Mrs. Traylor has worked in the legal community for over fifteen years. She provides class action, securities and derivative litigation, and product liability support for the firm.

**LACRISTA A. BAGLEY.** Ms. Bagley has been in the legal field for twenty-one years. Before joining Federman & Sherwood, Ms. Bagley worked primarily in bankruptcy law that focused on Chapter 11's and corporate liquidations, as well as estate planning, family law, civil defense, personal injury and medical malpractice.



## SELECT CASES WHERE FEDERMAN &amp; SHERWOOD HAS SERVED AS LEAD OR CO-LEAD COUNSEL

<b><u>SHAREHOLDER DERIVATIVE CASES</u></b>	<b><u>COURT</u></b>
Abercrombie & Fitch Company	USDC Southern District of Ohio
American Superconductor Corporation	Superior Court, Commonwealth of Massachusetts
Antares Pharma, Inc.	USDC District of New Jersey
Arrowhead Research Corporation	Superior Court, State of California, County of Los Angeles
Carrier Access Corporation	USDC District of Colorado
Catalina Marketing Corporation	Chancery Court of the State of Delaware
Cell Therapeutics, Inc.	USDC Western District of Washington
Computer Associates	USDC Eastern District of New York
Delcath Systems, Inc.	USDC Southern District of New York
Dendreon Corporation	USDC Western District of Washington
Doral Financial Corporation	USDC Southern District of New York
Dynavax Technologies Corporation	Superior Court of the State of California; county of Alameda
First BanCorp.	USDC District of Puerto Rico
Flowers Foods, Inc.	USDC Middle District of Georgia
Genta, Inc.	USDC District of New Jersey
GMX Resources, Inc.	District Court of Oklahoma County, Oklahoma
Great Lakes Dredge & Dock Corporation	Circuit Court of Illinois, Dupage County Chancery Division
Host America Corporation	USDC District of Connecticut
Motricity Inc.	USDC Western District of Washington
NutraCea	Superior Court of Maricopa County, Arizona
Nuverra Environmental Solutions, Inc.	Superior Court of Maricopa County, Arizona
Nyfix, Inc.	USDC District of Connecticut
OCA, Inc.	USDC Eastern District of Louisiana
ONEOK, Inc.	District Court of Tulsa County, Oklahoma
PainCareHoldings, Inc.	USDC Middle District of Florida
Seitel, Inc.	USDC Southern District of Texas
Spectrum Pharmaceuticals, Inc.	USDC District of Nevada
The Spectranetics Corporation	USDC District of Colorado
ValueClick, Inc.	USDC Central District of California
Zix Corporation	USDC Northern District of Texas
<b><u>SECURITIES CLASS ACTIONS</u></b>	
Amyris, Inc.	USDC, Northern District of California
Bellicum Pharmaceuticals, Inc.	USDC Southern District of Texas
Broadwind Energy, Inc.	USDC Northern District of Illinois
China Valves Technology, Inc.	USDC Southern District of New York
Cryo-Cell International, Inc.	USDC Middle District of Florida
Delta Petroleum, Inc.	USDC District of Colorado
Direxion Shares ETF Trust	USDC Southern District of New York
Ener1, Inc.	USDC Southern District of New York
Exide Technologies	USDC Central District of California
Galena Biopharma, Inc.	USDC, District of New Jersey
Houston American Energy Corp.	USDC Southern District of Texas
Image Innovations Holdings, Inc.	USDC Southern District of New York
IZEA, Inc.	USDC Central District of California
Motive, Inc.	USDC Western District of Texas
Quest Energy Partners LP	USDC Western District of Oklahoma
Secure Computing Corporation	USDC Northern District of California
Superconductor Technologies, Inc.	USDC Central District of California
UTi Worldwide, Inc.	USDC Central District of California
Unistar Financial Service Corp.	USDC Northern District of Texas
<b><u>MDL PROCEEDINGS</u></b>	
In re: Anthem, Inc. (Data Breach–Participating Counsel)	USDC, Northern District of California
In re: Equifax, Inc. (Data Breach–Participating Counsel)	USDC Northern District of Georgia
In re: Farmers Insurance Co.	USDC Western District of Oklahoma
In re: Home Depot, Inc. (Executive Committee)	USDC Northern District of Georgia
In re: Mednax Services Inc. (Data Breach – Co-Lead Counsel)	USDC Southern District of Florida
In re: Premera Blue Cross (Data Breach–Participating Counsel)	USC, District of Oregon
In re: Samsung Electronics America, Inc.	USDC Western District of Oklahoma
In re: Sonic Corp.	USDC Northern District of Ohio
<b><u>DEAL CASES (MERGERS)</u></b>	
Easylink Services International Corp.	Superior Court of Gwinnett County, Georgia
Genon Energy, Inc.	Chancery Court of the State of Delaware
Lawson Software, Inc.	Chancery Court of the State of Delaware
Network Engines, Inc.	Chancery Court of the State of Delaware
Paetec Holding Corp. Shareholder Litig.	Chancery Court of the State of Delaware
Williams Pipeline Partners, L.P.	District Court of Tulsa County, Oklahoma
Xeta Technologies, Inc.	District Court of Tulsa County, Oklahoma
<b><u>ERISA LITIGATION</u></b>	
Winn-Dixie Stores	USDC Middle District of Florida

<b>CONSUMER CLASS ACTIONS</b>	
Altice USA, Inc. (Data Breach)	USDC Southern District of New York
Artech, LLC (Data Breach)	USDC Northern District of California
Brinker International, Inc. (Chili's) (Data Breach)	USDC Middle District of Florida
Burgerville, LLC (Data Breach)	Circuit Court, State of Oregon, Multnomah County
CentralSquare Technologies, LLC (Data Breach)	USDC Southern District of Florida
Dakota Growers Pasta Company, Inc. (Food Mislabeling)	USDC District of Minnesota/District of New Jersey
Filters Fast, LLC (Data Breach)	USDC Western District of Wisconsin
Hy-Vee, Inc. (Data Breach)	USDC Central District of Illinois
LeafFilterNorth, LLC/LeafFilter North of Texas, LLC (Data Breach)	USDC Western District of Texas
Lime Crime, Inc. (Data Breach)	USDC Central District of California
Mednax Services, Inc. (Data Breach)	USDC Southern District of Florida
Solara Medical Supplies, LLC (Data Breach)	USDC Southern District of California
Wichita State University (Data Breach)	USDC District of Kansas
Smile Brands (Data Breach)	USDC Central District of California



# EXHIBIT 2

## **DannLaw**

Since 2008, DannLaw has represented individuals and businesses in a wide array of legal matters. The attorneys of DannLaw are established and respected trial lawyers who represent clients in simple litigation, complex litigation, appellate litigation, and class action lawsuits. DannLaw has recovered millions of dollars on behalf of thousands of individuals and businesses across the country including the states of Ohio, Illinois, Oregon, Florida, Kentucky, New Jersey and Tennessee.

### **Marc E. Dann**

Marc Dann is the Managing Partner of DannLaw. He is also a Partner of Advocate Attorneys LLP in Washington DC. These practices focus on representing clients who have been harmed by banks, debt buyers, debt collectors and other financial predators and providing access legal services for traditionally underserved working class and middle class Americans. Dann has fought for the rights of tens of thousands of consumers and brought class actions lawsuits on behalf of clients in both private practice and as Ohio's Attorney General.

As Ohio Attorney General, Marc Dann initiated securities fraud claims against the creators of mortgage- backed securities on behalf of Ohio's public pension funds. He assembled Ohio's Organized Crime Commission to mobilize Mortgage Fraud Task Forces in Ohio's major cities to prosecute those engaged in mortgage fraud and predatory lending, Dann's office challenged the standing of mortgage servicers to foreclose in cases where the State of Ohio was a party. Dann also worked with former Ohio Supreme Court Chief Justice Thomas Moyer to organize over 1,200 volunteer lawyers to represent homeowners in foreclosure.

After leaving the Attorney General's Office, Marc Dann began representing Ohio homeowners facing foreclosure pro bono. During this time, he recognized that the issues faced by individual homeowners represented patterns of practice throughout the mortgage servicing industry. In response, he mobilized a team and created DannLaw in order to fight for the rights of Ohioans.

Since DannLaw was founded, it has grown to represent clients facing a range of consumers' rights issues including in class action. While mortgage servicing litigation practice the foundation of DannLaw, Marc Dann has developed a comprehensive collection of tools designed to help clients stay in their homes including prosecuting more than 25 Class Action cases. . He is a recognized national leader in the use of federal mortgage servicing regulations to hold servicers accountable for their actions.

Utilizing these tools has led Marc Dann to host seminars explaining these techniques to other attorneys. These working groups help to elevate the defense of clients across the nation while

allowing attorneys to recognize patterns of practice that affect all citizens.

This collaborative spirit also applies to the communities of which DannLaw is a part. Marc Dann serves on the Lakewood Ohio Tree Advisory Committee. Marc Dann and DannLaw also support the Cleveland International Film Festival each year.

Dann prioritizes professional organizations as well as being a member of the American Bar Association, the Federal Bar Association, the Cleveland Metropolitan Bar Association, the National Association of Consumer Advocates and the National Association of Consumer Bankruptcy Attorneys. He is a member of the Society of Attorneys General Emeritus and the Democratic Attorneys General Association.

Marc Dann is a regular contributor to *Attorney at Law Magazine* and the *Cleveland Metropolitan Bar Association Magazine*. His work has also been featured in *NACBA's Consumer Bankruptcy Journal* and *Legal Ink Magazine* and *Working Class Perspectives compiled by Georgetown University*.

Dann is currently acting as appointed lead counsel in two pending matters - *Madyda v. Ohio Department of Public Safety*, Ohio Court of Claims Case No. 2019-00426JD and *Miles Black, et al. v. City of Girard, Ohio, et al.*, Trumbull County Court of Common Pleas Case No. 2018 CV 1256. Dann is currently serving as Liaison Counsel in *Migliaccio, et al. v. Parker-Hannifin Corporation*, NDOH Case No. 1:22-cv-00835 as well as Liaison Counsel for the Guardians of NAS Children in *In re: National Prescription Opiate Litigation*, NDOH 17-md-02804. Dann has previously been appointed and served as lead (or co-lead) counsel in other matters including *Lieber, et al. v. Wells Fargo Bank, N.A.*, NDOH Case No. 1:16-cv-02868, *Miller, et al. v. Intelelos, Inc.*, NDOH Case No. 1:17-cv-00763, *George Koustis, et al. v. Select Portfolio Servicing*, NDOH Case No. 1:20-cv-02425 and *Ethan Ryder, et al v. Wells Fargo Bank, N.A.*, SDOH Case No. 1:2019-cv-00638. Dann is acting as putative co-counsel in other matters listed in the pending cases summary below.

Dann is admitted to practice in Ohio, the District of Columbia, the United States Court of Appeals for the Sixth Circuit, the United States Court of Appeals for the Seventh Circuit the United States Court of Appeals for the Ninth Circuit, United States District Court for the Southern District of Ohio, United States District Court for the Northern District of Ohio, United States District Court for the Northern District of Illinois, The Northern District of Indiana, The Western District of Tennessee, the United States District Court for the Western District of New York and the United States District Court for the Northern District of New York. He has pro hac vice admission in Cook County, Illinois, Washoe County Nevada, United States District Court for the Southern District of Florida, United States District Court for the Middle District of Florida, United States District Court for the Northern District of Georgia, United States District

Court in Nevada, United States District Court for the Western District of New York, United States District Court for the Southern District of New York, United States District Court for the Eastern District of New York, United States District Court for the District of New Jersey, United States District Court for the Eastern District of Pennsylvania, United States District Court for the Western District of Washington, the United States District Court for the Western District of North Carolina, and the United States District Court for the Central District of California

A native of Cleveland, Ohio, Marc Dann is a 1984 graduate of the University of Michigan, where he earned a bachelor's degree in history. He graduated from the Case Western Reserve University School of Law in 1987.

### **Andrew Wolf (Of Counsel)**

Since opening his law practice in September 1997, Andrew Wolf, who joined DannLaw in October 2021, has become one of the most prominent, prolific, and respected consumer protection attorneys and Class Action in the United States.

Along with resolving hundreds of cases on behalf of individuals, Mr. Wolf has been certified as Class Counsel in 138 action case involving New Jersey's Consumer Fraud and Truth-in-Consumer Contract Warranty and Notice Acts, the federal Fair Debt Collection Practices Act, and other statutes. In addition to aggressively and successfully representing his clients, Andrew has generously shared his knowledge, expertise, and experience with the legal community. He taught consumer protection law to New Jersey's legal services attorneys in 2002, 2003, and from 2007 to 2013, was a featured panelist at the 2003 New Jersey State Bar Convention, the 2004 Consumer Law Day, and the 2005 New Jersey Judicial College. He has provided continuing legal instruction in the areas of consumer and class action law, served as a panelist on programs conducted by Rutgers Law School's Eric R. Neisser Public Interest Program, and was an adjunct professor at his alma mater, Rutgers University School of Law at Newark from 2013-2016 and 2018-2019.

Mr. Wolf has earned numerous honors and awards for his work on behalf of consumers. He has been designated as a SuperLawyer annually since 2014, received the Debevoise-Eakeley Award from New Jersey Legal Services in 2010 in recognition of his unparalleled support for the organization, and was the recipient of the 2018 Robert J. Cirafesi Chancery Practice Award from the Middlesex County Bar Association.

Mr. Wolf earned a bachelor's degree at Queens College (CUNY) in 1980, a Masters in Business Administration from St. John's University in 1987, and his Juris Doctorate at Rutgers University School of Law in 1995. He was admitted to practice in the state of New Jersey in 1995, the Federal District Court of New Jersey in 1996, the Third Circuit Court of Appeals in 1999, and

the United States Supreme Court in 2010.

He is a member of the National Association of Consumer Advocates (NACA), a Board Member of the Consumers League of New Jersey, the New Jersey State Bar Association, the Middlesex County Bar Association, and was appointed by the New Jersey Supreme Court to serve on the Special Civil Part Practice Committee for five terms.

He is also heavily involved in alternative dispute resolution as both a mediator and arbitrator. He is approved as a Mediator by the State of New Jersey, Department of Law and Public Safety, the State of New Jersey Judiciary, and as a Trainer in Mediation and Conciliation Skills for New Jersey's Administrative Office of the Courts.

### **Brian D. Flick**

Mr. Flick advocates for plaintiffs and defendants nationwide in state and federal trial and appellate courts. His practice areas include Consumer Bankruptcy debtor representation in the areas of Chapter 7, 12, and 13, consumer fraud, real estate litigation, foreclosure defense, student loan debt defense, Bankruptcy Litigation, and Mortgage Servicing Litigation under the Real Estate Settlement Procedures Act and the Truth in Lending Act.

He has experience in all phases of litigation including extensive discovery, substantive motion practice, trial practice, and appellate practice. Mr. Flick has worked vigorously for over 14 years to protect the rights of consumers and to pursue recovery for plaintiffs and defendants in numerous civil matters including class actions.

Mr. Flick graduated from Adrian College with a B.A. In Political Science. He earned his law degree from the Ohio Northern University Pettit College of Law. While in law school, he received several academic awards and appeared on the Dean's List multiple times.

Since beginning the practice of law, he has been very active in local and national attorney associations. He is active with the Cincinnati Bar Association's Bankruptcy Committee. Brian also sits on the Volunteer Lawyers Committee for the Cincinnati Bar Association. He is the current Sixth Circuit Listserv Moderator for the National Association of Consumer Bankruptcy Attorneys, a position he has held since May 2017. He is the current Ohio State Chair for the National Association of Consumer Advocates, a position he has held since May 2017. He was also appointed by the Board of Trustees as a member of the Unauthorized Practice of Law Committee of the Cincinnati Bar Association, a position he has held since June 2017. Mr. Flick has been a frequent speaker at Cincinnati Bar Association, NACBA, and NACA events since 2014 as well as assisting with DannLaw's Regulation X and Z Seminars that have taken place

since 2016.

Mr. Flick is currently co-lead counsel on *In re: Southern Ohio Health Systems Data Breach*, Hamilton County Court of Common Pleas Case No. A 2101886. Mr. Flick is also working a putative co-lead counsel on several other pending matters including *Lajuan Fleetwood v. NewRez LLC*, Hamilton County Court of Common Pleas Case No. A2201533, *Patrick D. Trivison, et al. v. Federal National Mortgage Association, et al.*, NDOH 1:20-cv-00711, *Jackson, et al. v. Velocity Investments, LLC*, EDPA Case No. 20-cv-02524, and *Crews, et al. v. Titlemax of Delaware, et al.*, MDPA 1:22-cv-168. Mr. Flick was appointed co-lead counsel on *Ethan Ryder, et al v. Wells Fargo Bank, N.A.*, SDOH Case No. 1:2019-cv-00638 and worked as associate on multiple class actions that DannLaw has handled including *Ifeoma Ebo, et al. v. Wells Fargo Bank, et al.*, NDCA Case No. 3:22-cv-02535, *Lieber, et al. v. Wells Fargo Bank, N.A.*, NDOH Case No. 1:16-cv-02868, *Madyda v. Ohio Department of Public Safety*, Ohio Court of Claims Case No. 2019-00426JD and *Miles Black, et al. v. City of Girard, Ohio, et al.*, Trumbull County Court of Common Pleas Case No. 2018 CV 1256. Mr. Flick was appointed to the Interim Executive Committee in *Angus, et al. v. Flagstar Bank, FSB*, EDM Case No. 2:21-cv-1067.

Mr. Flick is admitted to the practice of law in the State of Ohio, State of Kentucky and the Federal District Courts and Bankruptcy Courts in the following jurisdictions: Southern District of Ohio; Northern District of Ohio; District of Colorado; Northern District of Illinois; Northern District of Indiana; Southern District of Indiana; Eastern District of Kentucky; Western District of Kentucky; Eastern District of Tennessee; Western District of Tennessee; Eastern District of Michigan and the Western District of Michigan. He has also been admitted *pro hac vice* in civil litigation in the following United States District Courts for either resolved or pending matters: District of Oregon, District of Nevada, Western District of North Carolina, Southern District of New York, Eastern District of Pennsylvania, Central District of California, Middle District of Florida and Southern District of Florida. He is also admitted in the United States Court of Appeals for the Sixth Circuit.

### **Javier Merino**

Attorney Javier Merino is the managing partner of the New Jersey and New York offices of DannLaw. Mr. Merino advocates for plaintiffs and defendants nationwide in state and federal trial and appellate courts. His practice areas include Consumer Bankruptcy debtor representation in the areas of Chapter 7 and 13, consumer fraud, real estate litigation, foreclosure defense, Bankruptcy Litigation, and Mortgage Servicing Litigation under the Real Estate Settlement Procedures Act and the Truth in Lending Act.

He has experience in all phases of litigation including extensive discovery, substantive motion

practice, trial practice, and appellate practice. A licensed attorney since 2013, Mr. Merino has worked vigorously for almost nine (9) years to protect the rights of consumers and to pursue recovery for plaintiffs and defendants in numerous civil matters including class actions.

Mr. Merino graduated from Rutgers University with a B.A. In Economics in 2010. He earned his law degree from St. John's University School of Law in 2013. While in law school, he received several academic awards and appeared on the Dean's List.

Since beginning the practice of law, he has been very active in local and national attorney associations. He is active with the National Association of Consumer Advocates and the National Association of Consumer Bankruptcy Attorneys. Mr. Merino has been a frequent speaker at New Jersey State Bar Association, NACBA, and NACA events since 2017 as well as assisting with DannLaw's Regulation X and Z Seminars that have taken place since 2016. Mr. Merino most recently litigated a successful reversal of summary judgment at the United States Court of Appeals for the Second Circuit in the matter of *Kim Naimoli v. Ocwen Loan Servicing, LLC*, CA2 case number 2020-01683, a case of first impression at the Circuit Level on Regulation X of the Real Estate Settlement Procedures Act.

Mr. Merino is admitted to the practice of law in the State of New Jersey, State of New York and the Federal District Courts and Bankruptcy Courts in the following jurisdictions: District of New Jersey; Southern District of New York; Eastern District of New York; Northern District of New York; and the Western District of New York. He has also been admitted in the United States Court of Appeals for the Second Circuit and the United States Court of Appeals for the Third Circuit.

#### **Michael A. Smith, Jr.**

Michael Smith is a graduate of the Ohio State University and the University of Georgia School of Law. Mr. Smith is admitted to practice in the State of Ohio, State of New Jersey, United States District Court for the Northern and Southern Districts of Ohio, and United States District Court for the District of New Jersey.

Mr. Smith represents consumers in class actions involving unfair and deceptive trade practices, privacy violations, antitrust matters, and defective products. Smith has been active in federal litigation, including class action litigation in the state and federal courts of Ohio and New Jersey.

Mr. Smith has worked as associate counsel in many class actions the firm has handled including *Lieber, et al. v. Wells Fargo Bank, N.A.*, NDOH Case No. 1:16-cv-02868, *Koustis, et al. v. Select Portfolio Servicing, Inc.*, NDOH Case No. 1:20-cv-02425-DAP, *In re: Sonic Corp. Customer*



*Data Security Breach*, NDOH Case No. 17-md-2807, *In re: National Prescription Opiate Litigation*, NDOH Case No. 17-md-02804, *Madyda v. Ohio Department of Public Safety*, Ohio Court of Claims Case No. 2019-00426JD, and *Miles Black, et al. v. City of Girard, Ohio, et al.*, Trumbull County Court of Common Pleas Case No. 2018 CV 125.

### **Emily White**

After spending nearly a decade as a public interest attorney, Emily White joined DannLaw. She is the Managing Partner of the firm's Columbus, Ohio office where she practices student loan debt, disability rights, Class Action and consumer law.

Emily received her law degree from the City University of New York School of Law, where she served on the editorial board of the New York City Law Review. Following law school, she served for two years as a judicial law clerk to the Honorable Sylvia H. Rambo, U.S. District Court Judge for the Middle District of Pennsylvania.

In 2009 she joined the Legal Aid Society of Cleveland, where she represented low-income consumers during the historic recession and foreclosure crisis. While at Legal Aid she authored a chapter of Ohio Consumer Law focused on student loans and helped student loan borrowers resolve defaults and apply for student loan discharges.

In 2013 she joined Disability Rights Ohio as a staff attorney. In that role Emily represented individuals with disabilities in employment and higher education matters and offered advice about issues related to student loans and vocational rehabilitation services.

Emily received an undergraduate degree in Philosophy from the University of Illinois at Urbana-Champaign. Before attending law school she served as an AmeriCorps volunteer with Habitat for Humanity NYC.

### **Dan Solar**

Attorney Dan Solar has brought consumer cases against loan modification mills and financial institutions, won motions to vacate older foreclosure judgments on behalf of DannLaw clients, and unearthed significant evidence of fraud and robo-signing via the legal discovery process.

A licensed attorney since 2009, Dan earned a B.A. in Political Science from Denison University in 2006 and a J.D. from the University of Akron School of Law in 2009. He served an internship at the Cuyahoga County Public Defender's Office and during his years in law school worked as a law clerk for a firm in Akron, Ohio where he focused on a variety of tort matters and insurance



litigation.

In addition to his extensive legal training, Attorney Solar's experience in the origination of mortgage loans gives him a specialized, in-depth and invaluable knowledge of every facet of the mortgage lending process.

Attorney Solar is admitted to practice in the State of Ohio, the United States District Courts for the Northern and Southern Districts of Ohio, and the Eleventh Circuit Court of Appeals.

## **REPRESENTATIVE CLASS ACTIONS CASES**

### **Completed Cases:**

*Ryder et al v. Wells Fargo* United States District Court for the Southern District of Ohio Case No. 19-cv-00638. \$ 12 Million recovery for borrowers who were denied loan modifications as a result of a data breach.

*Koustis, et al. v. Select Portfolio Servicing, Inc.*, 1:20-cv-02425-DAP NDOH (Final Approval Order and Judgment entered 12/08/2021) - \$184,000.00 recovery for a nationwide class of borrowers whose lender failed to properly respond to qualified written requests, requests for information, and/or notices of error because of an improper active litigation, active mediation, or active bankruptcy exception.

*In re Sonic Corp. Customer Data Security Breach*, 1:17-md-2807 NDOH (Order granting Plaintiffs' Unanimous and Unopposed Motion to Appoint Attorney William B. Federman as Interim Lead Counsel, Attorney Marc Dann as Interim Liaison Counsel, and Attorneys Thomas A. Zimmerman, Jr., Michael R. Fuller, Melissa R. Emert and Miles Clark as Plaintiffs' Steering Committee signed 01/03/2018) - Class action for a nationwide class of individuals who had their personal and financial data stolen due to insufficient protection of that information by a retailer.

*Miller et al. v. Inteleos, Inc.*, Case No. 1:17-cv-00763-DAP NDOH - \$570,000 recovery for a nationwide class of sonographers who took and passed a certification examination but the testing agency improperly scored their results and falsely reported that they failed the examination.

*Lieber v. Wells Fargo Bank, N.A.*, Case No. 1:16-cv-02868-PAG NDOH - \$425,000 recovery for a nationwide class of borrowers whose lender failed to properly respond to qualified written requests, requests for information, and/or notices of error because of an improper active litigation, active mediation, or active bankruptcy exception.

*Clark, et al. v. Lender Processing Services, Inc, et al.*, Case No. 2:12-cv-02187 NDOH

*Hlavasa, et al. v. Bank of America, et al.*, Case No. 2:2011-cv-00530 NDOH

*Turner, et al. v. Lerner, Sampson & Rothfuss*, Case No. 1:11-cv-00056 NDOH

Andrew R. Wolf, of Counsel to DannLaw has been certified as class counsel individually in the following cases as of January 2022:

1. Mathis v. Hillside Auto Mall, Inc., et al.  
Docket No. UNN-L-5674-01 (Superior Court of New Jersey, Union County)
2. United Consumer Financial Services Co. v. Carbo  
Docket No. HUD-L-3438-02 (Superior Court of New Jersey, Hudson County)
3. Wilson v. Burt, et al.  
Docket No. MER-L-1947-03 (Superior Court of New Jersey, Mercer County)
4. Wilson v. AutoNation, et al.  
Docket No. MID- L-1319-04 (Superior Court of New Jersey, Middlesex County)
5. Galatis v. Psak, Graziano, Piasecki & Whitelaw, et al.  
Docket No. MID-L-5900-04 (Superior Court of New Jersey, Middlesex County)
6. Moreno v. Lawrence Lincoln-Mercury, Inc.  
Docket No. MID-L-2869-02 (Superior Court of New Jersey, Middlesex County)
7. Muller-Moreno, et. al. v. Malouf, et. al.  
Docket No. MID-L-4464-02 (Superior Court of New Jersey, Middlesex County)
8. Romano and Smerling v. Dayton Auto Center, et al.  
Docket No. MID-L-5176-02 (Superior Court of New Jersey, Middlesex County)
9. Losgar v. Freehold Chevrolet, Inc.  
Docket No. MON-L-3145-02 (Superior Court of New Jersey, Monmouth County)
10. Davis v. Liccardi, et al.  
Docket No. UNN-L-001546-03 (Superior Court of New Jersey, Union County)
11. Wenger, John v. East Brunswick Buick Pontiac GMC etc.  
Docket No. MID-L-5617-03 (Superior Court of New Jersey, Middlesex County)
12. Arteaga v. Moda Furniture, et al.  
Docket No. MRS-L000980-05 (Superior Court of New Jersey, Morris County)
13. Barrood v. IBM  
Docket No. MER-L-0843-98 (Superior Court of New Jersey, Mercer County)
14. Robilotti v. Garden Irrigation et al.

Docket No. MON-L-002147-03 (Superior Court of New Jersey, Monmouth County)

15. Valley National Bank v. Jeffery Cahn

Docket No. MER-L-0504-04 (Superior Court of New Jersey, Mercer County)

16. Grandberry and Deloatch v. Pressler & Pressler

Docket No. MID-L-001356-06 (Superior Court of New Jersey, Middlesex County)

17. Hudson United Bank v. Wendy D. Chase

Docket No. HNT-L-37-04 (Superior Court of New Jersey, Hunterdon County)

18. DeBenedetto vs. Del Monte Corporation, et al.

Docket No. MID-L-003163-06 (Superior Court of New Jersey, Middlesex County)

19. Nthenge, et al. v. Pessler and Pressler, et al.

Docket No. MID-L-001363-06 (Superior Court of New Jersey, Middlesex County)

20. Estep v. Smythe Volvo, Inc., et al.

Docket No. UNN- L-004184-03 (Superior Court of New Jersey, Union County)

21. Miller, Jennifer, et al v. CVS Corporation

Docket No. MID-L-003855-06 (Superior Court of New Jersey, Middlesex County)

22. Fisher, Samuel v. Walgreen Co. et al.

Docket No. MID-L-004090-06 (Superior Court of New Jersey, Middlesex County)

23. Picket v. Triad, et al.

Docket No. MID- L-007727-05 (Superior Court of New Jersey, Middlesex County)

24. Clemons & Jordan vs. Donna Thompson, Esq.

Docket No. MON-L-001980-07 (Superior Court of New Jersey, Monmouth County)

25. Fisher v. Hallmark Marketing Corporation et al.

Docket No. MID-L-6465-06 (Superior Court of New Jersey, Middlesex County)

26. Wells v. DTD Enterprises, Inc.

Docket No. MID-L-9012-07 (Superior Court of New Jersey, Middlesex County)

27. Bessie Brown v. Hayt, Hayt & Landau, LLC

Docket No. ESX-L-7042-07 (Superior Court of New Jersey, Essex County)

28. Miller v. Weltman, Weinberg & Reis, Co., L.P.A.

Docket No. MID-L-6248-07 (Superior Court of New Jersey, Middlesex County)

29. Santos & Velez v. Samuel Silver, Esq. et al

Docket No. MID-L-08188-07 (Superior Court of New Jersey, Middlesex County)

30. Cruz, Romeo R. v. Condor Capital Corp.  
Docket No. MID-L-2108-06 (Superior Court of New Jersey, Middlesex County)
31. Walker, Michael v. Hill Wallack LLP  
Docket No. MID-L-003480-08 (Superior Court of New Jersey, Middlesex County)
32. Portfolio Recovery Associates, LLC v. Patricia M. Barnes, et al  
Docket No. MID-L-009791-06 (Superior Court of New Jersey, Middlesex County)
33. Debra Smerling & Sheila Smerling v. Harrah's Entertainment Inc.  
Docket No. MID-L-008733-04 (Superior Court of New Jersey, Middlesex County)
34. Moore, William v. NCO Financial Systems Inc. consolidated with  
Meekins, Elizabeth v. NCO Financial Systems Inc.  
Case # 2:08-CV-01936-JAG-MCA (Federal District Court of New Jersey)
35. Wenger, Christopher & Jennifer. vs. Cardo Windows, Inc. et al  
Docket No.: MID-L-4924-07 (Superior Court of New Jersey, Middlesex County)
36. The Provident Bank v. Patricia Deprospo  
Docket No.: UNN-L-1393-09 (Superior Court of New Jersey, Union County)
37. Parkin, Nicole v. Bank of America, N.A.  
Docket No. MID-L-8170-07 (Superior Court of New Jersey, Middlesex County)
38. Mohrle, Dawn v. Timco, Inc. d/b/a Planet Honda  
Docket No. UNN-L- 000953-08 (Superior Court of New Jersey, Union County)
39. Quinonnes-Malone, Carmen v. Pellegrino & Feldstein, L.L.C., et al  
Case # 2:08-cv-03295-JAG-MCA (Federal District Court of New Jersey)
40. Kho, Ernesto vs. Nationwide Home Relief, LLC  
Docket No. MID-L-4245-09(Superior Court of New Jersey, Middlesex County)
41. Peabody, Gail v. Legal Loan Modifications, Inc., et al  
Docket No. MID-L-6981-09 (Superior Court of New Jersey, Middlesex County)
42. Coleman, Lori and Henry, Jahod v. Edison Auto Sales, Inc. et al  
Docket No. MID-L-8168-09 (Superior Court of New Jersey, Middlesex County)
43. Wenger, Christopher vs. Freehold Subaru, LLC et al.  
Docket No. MON-L-4003-10 (Superior Court of New Jersey, Monmouth County)

44. Richardson vs. Allied Interstate, Inc., et al.  
Case No. 09-2265-MLC-DEA (Federal District Court of New Jersey)
45. Kim Robinson and Jacob Robinson v. Donna L. Thompson  
Case No. 3:10-cv-04143-JAP-TJB (Federal District Court of New Jersey)
46. Mark Epstein & Mira Epstein v. Sears Roebuck & Co., Inc.  
Docket No. UNN-L-1732-09 (Superior Court of New Jersey, Union County)
47. Elaine Drake v. Wells Fargo Bank, N.A.  
Docket No. MID-L-4177-09 (Superior Court of New Jersey, Middlesex County)
48. Dipopolo & Kawajian v. Ramsey Nissan, Inc.  
Docket No. BER-L-10319-09 (Superior Court of New Jersey, Bergen County)
49. John Tortora v. Guardian Protective Services, et al.  
Docket No. MID-L-1041-10 (Superior Court of New Jersey, Middlesex County)
50. Te, Montesclaro, & Te v. Thrift Investment Corporation, et al.  
Docket No. MID-L-2061-10 (Superior Court of New Jersey, Middlesex County)
51. Berger, Garrett and Kelter, Bonny vs. PCUSA Corporation  
Docket No. MID-L-3211-11 (Superior Court of New Jersey, Middlesex County)
52. Pollitt vs. DRS Towing, LLC  
Case No. 3:10-cv-01285 (Federal District Court of New Jersey)
53. Sheikh/Sheikh vs. Maxon Hyundai, et al  
Docket No. UNN- L-000476-09 (Superior Court of New Jersey, Union County)
54. Bosland, Rhonda v. Warnock Dodge, Inc. et al  
Docket No. MRS- L-844-06 (Superior Court of New Jersey, Morris County)
55. Martell, Rhonda v. Warnock Dodge, Inc. et al  
Docket No. MRS- L-1085-09 (Superior Court of New Jersey, Morris County)
56. Alper, Todd v. Warnock Motor Sales, Inc. d/b/a/ Warnock Ford, et al  
Docket No. MRS- L-1640-10 (Superior Court of New Jersey, Morris County)
57. Richard R. Froumy and Victoria M. Carr v. Stark & Stark, et al  
Case No. 3:09-CV-4890-LHG (Federal District Court of New Jersey)
58. Pollitt v. Wachovia Dealer Services, Inc., et al  
Case No. 3:10-cv-01285-DEA (Federal District Court of New Jersey)

59. Chulsky v. Hudson Law Offices, P.C., et al  
Case No. 3:10-CV-03058-LHG (Federal District Court of New Jersey)
60. Williams v. The CBE Group, et al  
Case No. 2:11-cv-3680-PS (Federal District Court of New Jersey)
61. Petersen, Daniel vs. Central Jersey Pool & Supply Co., Inc., et al.  
Docket No. MON-L-4044-11 (Superior Court of New Jersey, Monmouth County)
62. Eisenberger, Ruth vs. Boston Service Co., Inc. d/b/a Hann Financial Svc. Corp.  
Docket No. MID-L-10366-09 (Superior Court of New Jersey, Middlesex County)
63. Lileikyte, Asta vs. Bergen Auto Eenterprises, LLC d/b/a Wayne Mazda  
Docket No. MID-L-6222-10 (Superior Court of New Jersey, Middlesex County)
64. Lippert, Tammy vs. Edison Motor Cars, Inc. d/b/a Brad Benson Mitsubishi/Hyundai  
Docket No. MID-L-6599-10 (Superior Court of New Jersey, Middlesex County)
65. Diop, Aissatou vs. I.C. Systems, Inc.  
Docket No. MID-L-1062-11 (Superior Court of New Jersey, Middlesex County)
66. Bush, Tanya vs. Renovo Services, LLC, et als.  
Docket No. MID-L-5132-10 (Superior Court of New Jersey, Middlesex County)
67. Avalishvili, Zhanetta vs. Reussille Law Firm, LLC, et al  
Case No. 3:12-cv-02772-TJB (Federal District Court of New Jersey)
68. Martina, Sophia vs. LA Fitness International, LLC  
Case No. 2:12-cv-02063-WHW (Federal District Court of New Jersey)
69. Korow, Margaret vs. Aaron's, Inc., et al.  
Case No. 3:10-cv-6317-MAS (Federal District Court of New Jersey)
70. Hernandez, Rodolfo vs. Enhanced Recovery Company, LLC, et al.  
Docket No. MID-L-2640-12 (Superior Court of New Jersey, Middlesex County)
71. Walker, Michael vs. Cutolo Law Firm, LLC, et al.  
Docket No. MID-L-7498-11 (Superior Court of New Jersey, Middlesex County)
72. Mukoma, Stephen vs. Fleet Lease Network, Inc.  
Docket No. HUD-L-2707-12 (Superior Court of New Jersey, Hudson County)
73. Wenger, Christopher D. vs. South Brunswick Furniture, Inc., etc., et al  
Docket No. MID-L-000479-12 (Superior Court of New Jersey, Middlesex County)

74. Katz, et al. vs. Live Nation, Inc., et al.  
Case No. 09-cv-03740-DEA (Federal District Court of New Jersey)
75. Blaine, Joanne vs. Pressler & Pressler, LLP  
Docket No. MID-L-583-11 (Superior Court of New Jersey, Middlesex County)
76. Davis, Ollie vs. First Financial Federal Credit Union, et al.  
Docket No. MON-L-4493-11 (Superior Court of New Jersey, Monmouth County)
77. Khweye, Uz C./Rivera, Pura vs. Leaders Financial Company, et al.  
Docket No. ESX-L-5584-10 (Superior Court of New Jersey, Essex County)
78. Khweye, Uz C. vs. Mullooly, Jeffrey, Rooney & Flynn, LLP  
Docket No. ESX-L-5585-10 (Superior Court of New Jersey, Essex County)
79. Gordon, Ella and Martha vs. Feinstein, Raiss, Kelin & Booker, LLC  
Case No. 3:13-cv-00089-MAS (Federal District Court of New Jersey)
80. Robinson, Shaquanna vs. J & C Auto Outlet, LLC  
Docket No. MID-L-1961-13 (Superior Court of New Jersey, Middlesex County)
81. Allen, Stacy vs. National Auto Outlet  
Docket No. MID-L-004905-13 (Superior Court of New Jersey, Middlesex County)
82. Willis, Laura vs. Galleria Route One Corporation, et al.  
Docket No. MID-L-001315-12 (Superior Court of New Jersey, Middlesex County)
83. Fonville, Shanique vs. Clover Commercial Corporation, et al.  
Docket No. UNN-L-000563-13 (Superior Court of New Jersey, Union County)
84. Caruso, Jerry/Brady, Sandra v. WOW, et als.  
Docket No. MID-L-3112-13 (Superior Court of New Jersey, Middlesex County)
85. Fonville, Shanique and Nekisha vs. Schwartz Barkin & Mitchell, et al.  
Docket No. UNN-L-001097-13 (Superior Court of New Jersey, Union County)
86. Malangone, Dolores v. Izzy's Inc. etc., et al.  
Docket No. OCN-L-515-13 (Superior Court of New Jersey, Ocean County)
87. Ortiz-Rodriguez, Norma vs. Pressler & Pressler, LLP  
Docket No. MID-L-007253-13 (Superior Court of New Jersey, Middlesex County)
88. Norris, Michael/Tatem, Christopher vs. Bill Me Later, Inc. & Eichenbaum and Stylianou, LLC



Docket No. MID-L-002364-15 (Superior Court of New Jersey, Middlesex County)

89. Gambrell, Eugene & Doris and Patel, Falguni vs. Hess Corporation, Inc.

Docket No. MID-L-7761-12 (Superior Court of New Jersey, Middlesex County)

90. Lechtrecker, Joshua vs. Pressler & Pressler, LLP

Docket No. MID-L-001933-15 (Superior Court of New Jersey, Middlesex County)

91. The Estate of Theresa Torsiello by Vincent Torsiello Executor vs. McGovern Legal Services, LLC

Case No. 3:14-cv-03814-DEA (Federal District Court of New Jersey)

92. Tirado, Ricardo vs. Deluxe Auto Group, LLC, et al.

Docket No. HUD-L-1069-14 (Superior Court of New Jersey, Hudson County)

93. Bowman, Lethrop vs. Lyons, Doughty & Veldhuis, P.C.

Docket No. MID-L-4474-14 (Superior Court of New Jersey, Middlesex County)

94. Celario, Michael vs. Route 22 Nissan, Inc.

Docket No. MID-L-000260-14 (Superior Court of New Jersey, Middlesex County)

95. McKenzie, Yusef vs. New City Funding Corp.

Docket No. MID-L-1952-14 (Superior Court of New Jersey, Middlesex County)

96. Thorne, Kimberly vs. Live Nation, Entertainment Inc.

Case No. 3:09-cv-03740-DEA (Federal District Court of New Jersey)

97. Pabon/Alvarado vs. Metro Auto Exchange

Docket No. UNN-L-1426-14 (Superior Court of New Jersey, Union County)

98. Rufo, Melissa vs. Alpha Recovery Corp.

Case No. 2:15-cv-0865-SRC (Federal District Court of New Jersey)

99. Politi, Andrew v. Pressler & Pressler, LLP, etc.

Docket No. MID-L-7273-15 (Superior Court of New Jersey, Middlesex County)

100. Nunez, Angel and Eve vs. Donna L. Thompson, Esq.

Docket No. MID-L-00949-15 (Superior Court of New Jersey, Middlesex County)

101. Nepomuceno, Luzvimid vs. Midland Management, Inc.

Case No. 2:14-cv-5719-SDW-SCM (Federal District Court of New Jersey)

102. Stepien, Lisa vs. PNC Financial Services Group, Inc.

Docket No. MID-L-2837-13 (Superior Court of New Jersey, Middlesex County)



103. Politi, Alexa vs. Gil Vigneault, et al.  
Case No. 3:15-cv-04425-DEA (Federal District Court of New Jersey)
104. Javan, John vs. LVNV Funding, LLC, et al.  
Docket No. MID-L-001866-16 (Superior Court of New Jersey, Middlesex County)
105. Vizthum, Tracy vs. Maguire East Windsor, LLC d/b/a Windsor Nissan  
Docket No. MID-L-284-15 (Superior Court of New Jersey, Middlesex County)
106. Qureshi v. OPS 9, LLC  
Case No. 2:14-cv-01806 (Federal District Court of New Jersey)
107. Mohammed v. Faloni Association  
Docket No. MID-L-7880-13 (Superior Court of New Jersey, Middlesex County)
108. Shumaker v. Vengroff  
Docket No. MID-L-5367-15 (Superior Court of New Jersey, Middlesex County)
109. Gomes v. Extra Space Storage, Inc.  
Case No. 2:13-cv-929-KSH (Federal District Court of New Jersey)
110. Sefarian v. Carmadella et al.  
Docket No. MID-L-005333-15 (Superior Court of New Jersey, Middlesex County)
111. Chung v. Northland Group Inc  
Case No. 2:15-cv-06246 (Federal District Court of New Jersey)
112. Chung v. AllianceOne Capital  
Case No. 2:15-cv-02905 (Federal District Court of New Jersey)
113. Raff v. Safavieh Livingston LLC  
Docket No. ESX-L-2017-15 (Superior Court of New Jersey, Essex County)
114. Guillen v. AAA Limo and Luxury Car Services of East Brunswick  
Docket No. MID-L-002661-16 (Superior Court of New Jersey, Middlesex County)
115. Kendall v. Cubesmart L.P., et al.  
Case No. 3:15-cv-06098 (Federal District Court of New Jersey)
116. Santiago v. Northland Group Inc.  
Case No. 2:15-cv-03608-CLW (Federal District Court of New Jersey)
117. Giulanelli v. Fredco Landscaping LLC  
Docket No. ESX-L-004202-16 (Superior Court of New Jersey, Essex County)

118. Seigelstein v. Shrewsbury Motor, Inc. et al.  
Docket No. MON-L-4072-15 (Superior Court of New Jersey, Monmouth County)
119. Park v. United Collection Bureau, Inc.  
Case No. 2:15-cv-01306 (Federal Court of New Jersey)
120. Watkins v. Pressler & Pressler, LLC  
Case No. 2:16-cv-00119-MCA-LDW (Federal District Court of New Jersey)
121. Harris v. General Motors Financial Co. Inc.  
Docket No. MID-L-3170-15 (Superior Court of New Jersey, Middlesex County)
122. Shirey v. Project One Autosports LLC  
Docket No. ESX-L-006233-16 (Superior Court of New Jersey, Essex County)
123. Sparks v. Service Finance Co., LLC  
Docket No. MID-L-2441-17 (Superior Court of New Jersey, Middlesex County)
124. Labidou v. Fleet Lease Network, Inc.  
Docket No. HUD-L-5191-15 (Superior Court of New Jersey, Hudson County)
125. Best v. Twin, Inc.  
Docket No. ESX-L-8062-16 (Superior Court of New Jersey, Essex County)
126. Patterson v. Volkswagen Credit  
Docket No. MID-L-6498-16 (Superior Court of New Jersey, Middlesex County)
127. Bonilla v. Pike Run II LLC  
Docket No. MID-L-3986-17 (Superior Court of New Jersey, Middlesex County)
128. Martins v. Signature Pre-Owned LLC et al.  
Docket No. HUD-L-3596-17 (Superior Court of New Jersey, Hudson County)
129. Thomas v. Hudson Valley Federal Credit Union  
Docket No. ESX-L-8205-18 (Superior Court of New Jersey, Essex County)
130. Gonzalez v. New Century Financial Services Inc.  
Docket No. ESX-L-00765-17 (Superior Court of New Jersey, Essex County)
131. McMillin v. The Traf Group Inc.  
Case No. 3:18-cv-01734-DEA (Federal District Court of New Jersey)
132. Santiago v. Apothaker Scian P.C. et al.  
Case No. 2:16-cv-01432-CCC-SMC (Federal District Court of New Jersey)

133. Pierre-Charles v. Consumer Portfolio Services, Inc.  
Case No. 3:17-cv-10025-DEA (Federal District Court of New Jersey)
134. Deltoro v. City Select Auto Sales, Inc.  
Docket BUR-L-00709-19 (Superior Court of New Jersey, Burlington County)
135. Mills v. Camping World RV et al.  
Case No. 3:18-cv-02283-MAS-TJB (Federal District Court of New Jersey)
136. Browne v. Capital One Bank USA et al.  
Docket No MID-L-05583-15 (Superior Court of New Jersey, Middlesex County)
137. Wares v. Guaranteed Motor Towing Service Inc. et al.  
Docket No. MID-L-002088-16 (Superior Court of New Jersey, Middlesex County)
138. Roach v. BM Motoring LLC  
Docket No. MID-L-001333-13 (Superior Court of New Jersey, Middlesex County)
139. Davis v. Omnisure  
Docket No. CAM-L-3742-15 (Superior Court of New Jersey, Camden County)

#### **Pending Cases:**

##### *RESPA and Mortgage Servicing Class Action*

- DannLaw is putative class co-counsel in *Trivison, et al. v. Federal National Mortgage Association*, United States District Court for the Northern District of Ohio Case No. 20-cv-00711.
- DannLaw is putative class co-counsel in *Lajuan Fleetwood v. NewRez LLC*, Hamilton County Court of Common Pleas Case No. A2201533.
- DannLaw is putative class co-counsel in *Kathryn Forest, et al. v. PHH Mortgage Corporation, et al.*, United States District Court for the District of Rhode Island, Case No. 1:20-cv-00323.
- DannLaw is putative class counsel in *Elaine M. Johnson, et al. v. loanDepot.com LLC*, United States District Court for the Northern District of Ohio Case No. 5:22-cv-00641.
- DannLaw is putative class co-counsel in *Schmitt v. Security National Servicing Corporation*, United States District Court for the Northern District of Ohio Case No. 1:21-cv-01188.

##### *Constitutional Violations*

- DannLaw is putative co-counsel in *The State of Ohio, ex rel James Parker, et al. v. The*

*Ohio Department of Job and Family Services, et al.*, Franklin County Court of Common Pleas 21 CV 00524.

- DannLaw is putative class co-counsel in *Tarrify Properties, LLC, et al. v. Cuyahoga County, Ohio, et al.*, United States District Court for the Northern District of Ohio Case No. 19-cv-02293.
- DannLaw is putative class co-counsel in *Alana Harrison, et al. v. Montgomery County, Ohio, et al.*, United States District Court for the Southern District of Ohio Case No. 3:19-cv-00288.
- DannLaw is putative class co-counsel in *Madyda v. Ohio Department of Public Safety*, Ohio Court of Claims Case No. 2019-00426JD.
- DannLaw is putative class co-counsel in *Miles Black, et al. v. City of Girard, Ohio, et al.*, Trumbull County Court of Common Pleas Case No. 2018 CV 1256.

*Data Breach/Misuse of Consumer Information -*

- DannLaw has been appointed as co-lead in *Desiree Schmitt, et al. v. SN Servicing Corporation*, United States District Court for the Northern District of California, Case No. 21-cv-03355.
- DannLaw has been appointed on the Plaintiff's Executive Committee in *Angus, et al. v. Flagstar Bank, FSB*, United States District Court for the Eastern District of Michigan Case No. 21-cv-10657.
- DannLaw has been appointed as Interim Class Co-Counsel in *Acker, et al. v. ProTech Solutions Inc.*, United States District Court for the Eastern District of Arkansas Case No. 20-cv-00852.
- DannLaw is co-counseling a Class Action for a nationwide class and statewide classes of consumers who were subject to unauthorized automatic payment drafts. DannLaw brought two of the eight lawsuits related to this incident - *Dwayne Friday, et al. v. Nationstar Mortgage, LLC*, United States District Court of the Western District of North Carolina Case No. 1:21-cv-165 and *LaTreece Jones, et al. v. Nationstar Mortgage, LLC*, United States District Court for the Northern District of Illinois Case No. 1:21-cv-3217. All cases are pending settlement and consolidation.
- DannLaw has been appointed Interim Liaison Counsel for a nationwide class and statewide classes of employees and unknown third parties who were victims of a data breach in *Migliaccio, et al. v. Parker-Hannifin Corporation*, United States District Court for the Northern District of Ohio Case No. 1:22-cv-00835.
- DannLaw is co-counseling a Class Action for a nationwide class and statewide classes of employees and patients who were victims of a data breach in *In re: Southern Ohio Health Systems Data Breach*, Hamilton County Court of Common Pleas Case No. A 2101886.
- DannLaw is co-counseling a Class Action for a nationwide class and statewide classes of

consumers who were subject to a data breach involving their mortgage servicer in *Morrill v. Lakeview Loan Servicing, LLC, et al.*, United States District Court for the Southern District of Florida Case No. 1:22-cv-20955-DPG.

- DannLaw is local counsel in *Finesse Express, LLC, et al. v. Total Quality Logistics, LLC*, United States District Court for the Southern District of Ohio, Case No. 1:20-cv-00235.

#### *Consumer Class Actions*

- DannLaw is putative class co-counsel in *Jackson, et al. v. Velocity Investments, LLC*, United States District Court for the Eastern District of Pennsylvania Case No. 5:20-cv-02524.
- DannLaw is putative class co-counsel in *Crews, et al. v. Titlemax of Delaware, et al.*, United States District Court for the Middle District of Pennsylvania Case No. 1:22-cv-168.

#### *Products Liability*

- DannLaw is co-counseling as Local Counsel *Erica Parks, et al. v. The Proctor & Gamble Company*, United States District Court for the Southern District of Ohio Case No. 1:21-cv-00258.
- DannLaw is putative co-counsel in *Tyneshia Ferguson, et al. v. The J.M. Smucker Company*, United States District Court for the Eastern District of Kentucky Case No. 5:22-cv-00173.
- DannLaw is putative co-counsel in *Pisciotti, et al. v. The J.M. Smucker Company*, United States District Court for the Northern District of Ohio Case No. 5:22-cv-01151.

#### *Shareholder Derivative Suit*

- DannLaw is co-counseling as Local Counsel a Shareholder Derivative Complaint against a multi-state Managed Care facility. The matter has not proceeded to Class Certification.

# EXHIBIT 3

**ZIMMERMAN LAW OFFICES, P.C.**

Since 1996, Zimmerman Law Offices has represented individuals and businesses in a wide array of legal matters. Its attorneys are established and respected trial lawyers who represent clients in complex litigation and class action lawsuits nationwide. The firm has an extensive and varied litigation-based practice, with a focus on class action litigation. Zimmerman Law Offices has recovered over \$300 million on behalf of millions of individuals and businesses nationwide.

The attorneys at Zimmerman Law Offices are experienced in Multidistrict Litigation (MDL), having served as lead counsel in MDL cases throughout the country. These MDL cases included claims for fraud, improper pricing, misleading product claims, and privacy violations including data breaches.

**ATTORNEYS**

**Thomas A. Zimmerman, Jr.**

A seasoned litigator for over 25 years, Mr. Zimmerman practices extensively and has obtained multi-million dollar jury verdicts in class action, corporate, commercial, medical malpractice, consumer fraud, constitutional due process, general civil, product liability, toxic tort, and other complex litigation. He represents both plaintiffs and defendants nationwide in state and federal trial and appellate courts. He also represents individuals and corporations in transactional matters, and before state and federal administrative and regulatory agencies.

Mr. Zimmerman has been lead counsel in national and state-wide class action litigation, and has handled other multi-party litigation involving such companies as MCI/Worldcom, United Airlines, Peoples Gas, AT&T, Warner-Lambert, Pfizer, Liberty Mutual Insurance Co., DaimlerChrysler, ADT, Ford Motor Co., Mead Johnson, KCBX, Inland Bank, Commonwealth Edison, Ameritech, Wells Fargo, and Bridgestone/Firestone. He is well respected for his representation of physicians, dentists, nurses, psychologists, veterinarians, and many other licensed professionals before state and federal agencies including the Illinois Department of Financial and Professional Regulation, and the U.S. Department of Health and Human Services.

In 2017, 2018, 2019, 2020, 2021, and 2022, he was selected as a *Super Lawyer* in the area of class action and mass torts.

In 2000, he was voted one of the Top 40 Illinois Attorneys Under the Age of 40. This is especially notable, as he was chosen out of 60,000 attorneys in Illinois under the age of forty.

In 2003, the Illinois Supreme Court appointed Mr. Zimmerman to the Review Board of the Attorney Registration and Disciplinary Commission (“ARDC”). He served in that capacity until 2011, wherein he presided over appeals by attorneys who have been found to have committed misconduct, and recommended discipline for their ethical violations. In 2013, the ARDC appointed

Mr. Zimmerman as Special Counsel, wherein he conducts independent investigations in matters involving allegations of misconduct against attorneys associated with the ARDC.

Additionally, the Illinois Governor appointed Mr. Zimmerman to the Illinois Courts Commission in 2003. A Commission member presides over proceedings wherein judges are charged with committing ethical violations, and imposes discipline on judges who are found to have engaged in misconduct. Mr. Zimmerman has served as a Commission member continuously since his appointment.

Prior to becoming an attorney, Mr. Zimmerman worked for AT&T where he negotiated partnerships with companies for domestic and international joint-venture and new product development activities. During this time, he was the featured speaker at 400 conferences, seminars, and presentations. Thereafter, he presented oral testimony at various Federal Senate and Congressional hearings. After obtaining his law license, Mr. Zimmerman has lectured at law schools and seminars, and is frequently interviewed by the news media concerning legal issues.

Mr. Zimmerman earned a B.S. in Computer Science-Mathematics from the University of Illinois, and an M.B.A. in Finance from DePaul University in the evenings while working for AT&T. After leaving AT&T, Mr. Zimmerman earned his law degree from the Chicago-Kent College of Law, where he was a Ramsey-Burke Scholarship recipient and earned the Academic Achievement Award.

He is admitted to practice law in Illinois, and other states on a case-by-case basis, and he is admitted to practice before the U.S. Supreme Court, and various federal courts of appeal and federal district courts. Based on his demonstrated experience and ability, he was appointed to the federal court trial bar.

Mr. Zimmerman is currently the chair of the Clerk of the Circuit Court of Cook County Attorney Advisory Committee, and was formerly co-chair of the Clerk of the Circuit Court Transition and Strategic Planning Public Policy Subcommittee.

Mr. Zimmerman is a member of the American, Illinois State, and Chicago Bar Associations, and the Illinois Trial Lawyers Association, where he serves on various committees. He is also a member of the American Association for Justice. In 2000, he was appointed to the Illinois Trial Lawyers Association Board of Advocates.

Involved in numerous community service activities, Mr. Zimmerman has been an Illinois State Board of Education surrogate parent of disabled children since 1988. In addition, he was a speaker on the rights of disabled people for the Illinois Planning Council on Developmental Disabilities, and a Family Shelter Service counselor to battered children for many years. He has been recognized by the federal court for his pro bono representation of indigent clients.



**Sharon A. Harris**

Ms. Harris has extensive experience litigating complex class action matters in state and federal trial and appellate courts nationwide. She has focused her practice on consumer protection, product liability, privacy, and antitrust matters. Ms. Harris has developed a particular expertise in state unfair and deceptive practice statutes, data breach laws, privacy laws, federal antitrust laws, the Fair Credit Reporting Act, the Racketeer Influenced and Corrupt Organizations Act (RICO), the Telephone Consumer Protection Act, and various other federal and state laws. She has been appointed class counsel in numerous cases. For example, she was appointed one of class counsel in *In re Pilot Flying J Fuel Rebate Contract Litigation*, which involved allegations that the defendants violated RICO and various state laws by withholding portions of fuel discounts and rebates to which class members were contractually entitled. A settlement was granted final approval. Ms. Harris was also appointed class counsel in a class action lawsuit, *Norton, et al. v. Niantic, Inc.*, No. 2017 CH 10281 (Cir. Ct. Cook Cty., Ill.), and helped negotiate a \$1.75 million settlement on behalf of attendees at the 2017 Pokémon GO Fest in Chicago that were unable to play the game during the fest due to technical and other issues. Additionally, Ms. Harris was appointed class counsel in a class action lawsuit, *Miller, et al. v. Inteleos, Inc.*, No. 1:17-cv-00763-DAP (N.D. Ohio), on behalf of individuals who took a Registered Vascular Technology (RVT) examination and passed the examination but received an incorrect failing score. The settlement she helped negotiate was granted final approval by the Court.

She received her Bachelor of Science degree from Michigan State University with a dual major in Political Science and Social Science. Ms. Harris received her law degree from DePaul University College of Law. She is a member of the American, Illinois State, and Chicago Bar Associations. She is admitted to practice in the State of Illinois, the United States District Court for the Northern District of Illinois, the United States District Court for the Northern District of Indiana, and the United States Courts of Appeals for the Seventh and Ninth Circuits.

**Matthew C. De Re**

Mr. De Re advocates for both plaintiffs and defendants nationwide in state and federal trial and appellate courts. His practice areas include class action, corporate, commercial, consumer fraud, general civil, product liability, personal injury, and other complex litigation. He also represents professionals, such as physicians, dentists, nurses, insurance producers, and real estate brokers, before state and federal agencies, including the Illinois Department of Financial and Professional Regulation and the Department of Insurance. In addition to his extensive litigation practice, Mr. De Re assists individuals and corporations in transactional matters.

He has experience in all phases of litigation, including extensive discovery and substantive motion practice. He has assisted in the defense of individuals and companies in cases involving personal injury, employment, and civil rights. Mr. De Re has also vigorously pursued recovery for plaintiffs in numerous civil matters. Prior to joining Zimmerman Law Offices, he served as a Law Clerk for the Circuit Court of Cook County.

Mr. De Re graduated from the University of Wisconsin-Madison with a B.S. in both Political Science and History. He earned his law degree from Washington University in St. Louis. While in

law school, he received academic awards and appeared on the Dean's List multiple times. He also served two years on the Executive Board of the Student Bar Association and was the Associate Managing Editor for the Washington University Journal of Law & Policy.

He is admitted to practice law in the State of Illinois and is a member of the Illinois State and Chicago Bar Associations.

**Jeffrey D. Blake**

Mr. Blake represents consumers in class actions involving unfair and deceptive trade practices, privacy violations, antitrust matters, and defective products. He has considerable experience prosecuting complex cases in state and federal courts throughout the nation, including appeals.

Mr. Blake received his J.D., *cum laude*, from the Chicago-Kent College of Law in 2012. While attending, Mr. Blake served as Executive Articles Editor for the *Chicago-Kent Law Review*, spent a semester as a judicial extern for the Honorable Samuel Der-Yeghiayan of the United States District Court for the Northern District of Illinois, and participated in the Intellectual Property Law Clinic and the Center for Open Government.

After graduating law school, Mr. Blake served as the judicial law clerk for the Honorable Patrick McKay, Superior Court Judge for the Third Judicial District in Anchorage, Alaska.

Mr. Blake received a Bachelor of Science from the University of Illinois at Chicago.

He is admitted to practice in the State of Illinois and the United States District Court for the Northern District of Illinois.

**Jordan M. Rudnick** (*of counsel*)

Mr. Rudnick represents individuals and large national and international companies in providing business advice, counsel and dispute resolution in a wide variety of contexts for almost 20 years. In particular, Mr. Rudnick represents plaintiffs and defendants nationwide in class action, corporate, commercial, consumer fraud, general civil, and other complex litigation in state and federal courts, arbitrations, and mediations. Mr. Rudnick has been involved in all phases of litigation, including extensive discovery, substantive motion practice, trials and appeals.

His experience as an attorney also includes representing parties in nationwide securities fraud class actions. Notably, Mr. Rudnick represented Canadian Imperial Bank of Commerce in the Enron class action securities litigation and related proceedings. He also has extensive experience representing commercial policyholders in recovering insurance proceeds from their insurers.

Mr. Rudnick serves as an arbitrator for FINRA (Financial Industry Regulatory Authority, formerly known as the NASD or National Association of Securities Dealers) where he and panels of two other arbitrators decide the outcome of disputes between investors and securities brokers and dealers.

He has provided extensive pro bono representation of improperly-expelled school children in conjunction with the Legal Assistance Foundation of Metropolitan Chicago, and with the Chicago Coalition for the Homeless. In addition, in his spare time, he is a volunteer at the Lincoln Park Community Homeless Shelter.

Mr. Rudnick served as a judicial law clerk to the Honorable Justice Joseph Gordon, Illinois Appellate Court, 1st District, where he drafted opinions in appeals arising from complex civil and criminal trial court decisions.

Mr. Rudnick earned his B.A. in Political Science from the University of Chicago, and he graduated *cum laude* from the John Marshall Law School with honors and on a full scholarship. In law school, he appeared on the Dean's List, and he was a member of the school's Moot Court Team. He also was a Staff Editor on the *John Marshall Law Review* for two years.

He is admitted to practice law in Illinois, New York, and Washington, D.C., and is a member of the Chicago Bar Association, NAACP, and ACLU.

## **REPRESENTATIVE CLASS ACTION CASES**

### **Completed Cases**

Misleading Product Claims — \$62 million recovery for a nationwide class of customers who purchased products that were advertised to reduce cellulite in the human body, plus equitable relief to correct the misleading claims. *Joseph v. Beiersdorf North America, Inc.*, No. 11 CH 20147 (Cook Cnty, IL).

Improper Cellular Phone Fee — \$48 million recovery for a statewide class of businesses and individuals who paid an improper municipal infrastructure maintenance fee on their cellular phone bills. *PrimeCo Personal Communications, et al. v. Illinois Commerce Commission, et al.*, 98 CH 5500 (Cook Cnty, IL).

Defective Vehicles — \$35 million in monetary and injunctive relief for a nationwide class of individuals and businesses who purchased vehicles manufactured with a defective transmission. *Vargas, et al. v. Ford Motor Co.*, No. 12 cv 8388 (C.D. CA).

Fraud — \$31 million recovery for a nationwide class of businesses and individuals who placed advertisements in a newspaper based on fraudulent circulation figures. *In re Chicago Sun-Times Circulation Litigation*, No. 04 CH 9757 (Cook Cnty, IL).

Defective Products — \$16 million recovery for a nationwide class of individuals who purchased defective home security systems that could be easily hacked and disabled. *Edenborough v. ADT, LLC, et al.*, No. 16 cv 2233 (N.D. CA).

Misleading Product Claims — \$14 million recovery for a nationwide class of customers who purchased defective garden hoses with misleading claims, plus equitable relief to extend the product's warranty. *Bergman, et al. v. DAP Products, Inc., et al.*, No. 14 cv 3205 (D. MD).

Fraud / Data Breach — \$11.2 million recovery for a nationwide class of individuals who had their personal and financial data stolen due to insufficient protection of that information by an internet service provider, and who also paid money to that provider based on misrepresentations. *In re Ashley Madison Customer Data Security Breach Litigation*, MDL No. 2669 (E.D. MO).

Defective Products — \$9 million recovery for a nationwide class of individuals who sustained financial and personal injuries resulting from their purchase and use of baby wipes that were tainted with a dangerous bacteria. *Jones v. First Quality Enterprises, Inc., et al.*, No. 14 cv 6305 (E.D. NY).

Power Outages — \$7.75 million recovery for a statewide class of businesses and individuals who sustained financial damages due to widespread and prolonged power outages. *In re Commonwealth Edison 1999 Summer Power Outages*, No. 99 CH 11626 (Cook Cnty, IL).

Privacy Violation — \$7.3 million recovery for a nationwide class of consumers whose personal information was improperly disclosed. *Aliano v. Airgas USA, LLC*, No. 14 CH 20024 (Cook Cnty, IL).

Improper Court Fee — \$5.2 million recovery for a nationwide class of individuals and businesses who were charged an improper fee by the Clerk of the Court. *Midwest Medical Records Assoc., et al. v. Dorothy Brown, et al.*, No. 15 CH 16986 (Cook Cnty, IL).

Data Breach — \$4.95 million recovery for a nationwide class of individuals who had their personal and financial data exposed due to insufficient protection of that information by state governments. *Culbertson, et al. v. Deloitte Consulting LLP*, No. 20 cv 3962 (S.D. NY).

Data Breach — \$4.3 million recovery for a nationwide class of individuals who had their personal, financial, and medical data stolen due to insufficient protection of that information by a company that rents caps and gowns for graduation ceremonies. *In re Herff Jones Data Breach Litigation*, No. 21 cv 1329 (S.D. IN).

Data Breach — \$4.3 million recovery for a nationwide class of individuals who had their personal and financial data stolen due to insufficient protection of that information by a retailer. *In re Sonic Corp. Customer Data Breach Litigation*, MDL No. 2807 (N.D. OH).

Unsolicited Faxes — \$4 million recovery for a nationwide class of businesses and individuals who sustained damages resulting from the receipt of unsolicited facsimile advertisements. *Derose Corp. v. Goyke Health Center*, 06 CH 6681 (Cook Cnty, IL).

Fraud — \$3.5 million recovery for a nationwide class of Spanish speaking purchasers of baby formula, arising out of misleading product labeling. *Cardenas v. Mead Johnson & Company*, No. 01 CH 11151 (Cook Cnty, IL).

Unsolicited Faxes — \$2.5 million recovery for a statewide class of individuals and businesses who sustained damages resulting from the receipt of unsolicited facsimile advertisements. *iMove Chicago, Inc. v. Inland Bancorp, Inc., et al.*, No. 16-cv-10106 (N.D. IL)

Misleading Product Labeling — \$2.5 million recovery for a nationwide class of businesses and individuals who purchased whiskey whose labeling misstated the characteristics of the product. *Due Fratelli, Inc. v. Templeton Rye Spirits, LLC*, No. 2014 CH 15667 (Cook Cnty, IL).

Misrepresentations in Book — \$2.35 million recovery for a nationwide class of customers who purchased a fictional book while under the impression that the book was a non-fiction memoir. *In re A Million Little Pieces Litigation*, No. 06-md-1771 (S.D. NY).

Misleading Product Claims — \$1.9 recovery for a nationwide class of individuals and businesses who purchased HDMI cables based on representations that more expensive higher speed cables were needed to operate certain audio visual equipment. *O'Brien, et al. v. Monster, Inc., et al.*, No. 2015 CH 13991 (Cook Cnty, IL).

Shareholder Derivative Suit — \$1.875 recovery, and corporate governance reforms, for a nationwide class of shareholders against a company and its officers and directors due to breaches of fiduciary duties and excess compensation to the officers and directors due to overstated financial results. *Dorvit, et al. v. Winemaster, et al.*, No. 17 cv 1097 (N.D. IL).

Consumer Fraud — \$1.6 million recovery for a nationwide class of individuals who paid for and traveled to an event that did not occur as advertised. *Norton v. Niantic, Inc.*, No. 2017 CH 10281 (Cook Cnty, IL).

Misleading Product Labeling — \$1.5 million recovery for a nationwide class of individuals who purchased a product whose packaging misstated the characteristics of the product. *In re Honest Company Sodium Lauryl Sulfate (SLS) Marketing and Sales Practices Litigation*, MDL No. 2719 (C.D. CA).

Improper Debiting of Bank Accounts — \$1.5 million recovery for a statewide class of individuals who were members of a health club that debited its members' bank accounts without adequate notice or authority. *Wendorf, et al. v. Landers, et al.*, No. 10 cv 1658 (N.D. IL).

Environmental Contamination — \$1.4 million recovery for a statewide class of individuals and businesses who suffered from an infiltration of coal and petroleum coke dust in the air and on their property. *Martin, et al. v. KCBX Terminals Company, et al.*, No. 13 cv 08376 (N.D. IL).

School Misrepresenting Accreditation — \$1.2 million recovery, representing nearly the full value of each class member's loss, for a statewide class of individuals who enrolled in a school based on the school's misrepresentations that it was accredited. *Allen v. Illinois School of Health Careers, Inc.*, No. 10 CH 25098 (Cook Cnty, IL).

Privacy Violation — \$1 million recovery for a nationwide class of consumers whose personal information was improperly disclosed. *Radaviciute v. Christian Audigier, Inc.*, No. 10 cv 8090 (N.D. IL).

Breach of Contract — \$570,000 recovery for a nationwide class of sonographers who took and passed a certification examination but the testing agency improperly scored their results and falsely reported that they failed the examination. *Miller, et al. v. Inteleos, Inc.*, No. 17 cv 763 (N.D. OH).

Privacy Violation — \$500,000 recovery for a statewide class of consumers whose personal information was improperly disclosed. *Aliano v. Joe Caputo and Sons – Algonquin, Inc.*, et al., No. 09 cv 0910 (N.D. IL).

Contaminated Drinking Water — \$500,000 recovery for a statewide class of individuals who suffered damages as a result of a contaminated water well, plus equitable relief to close the well. *Joseph Marzano v. Village of Crestwood*, No. 09 CH 16096 (Cook Cnty, IL).

Fraud — \$425,000 recovery for a nationwide class of businesses and individuals who purchased spirits whose labeling misstated the characteristics of the product. *Due Fratelli, Inc. v. Proximo Spirits, Inc.*, No. 2014 CH 17429 (Cook Cnty, IL).

Foreclosure Fraud — \$425,000 recovery for a nationwide class of borrowers whose lender failed to properly respond to qualified written requests, requests for information, and/or notices of error because of an improper active litigation, active mediation, or active bankruptcy exception. *Lieber v. Wells Fargo Bank, N.A.*, No. 16 cv 2868 (N.D. OH).

Privacy Violation — \$295,000 recovery for a nationwide class of consumers whose personal information was improperly disclosed. *Joseph v. Marbles, LLC*, No. 13 cv 4798 (N.D. IL).

Data Breach — \$285,000 recovery for a nationwide class of individuals who had their personal and financial data stolen due to insufficient protection of that information by a restaurant chain. *Ramsey v. 41 E. Chestnut Crab Partners, LLC, et al.*, No. 19 CH 2759 (Cook Cnty., IL).

Privacy Violation — \$250,000 recovery for a nationwide class of consumers whose personal information was improperly disclosed. *DiParvine v. A.P.S., Inc. d/b/a Car Quest Auto Parts*, No. 11 cv 6116 (N.D. IL).

Unsolicited Faxes — \$237,600 recovery for a statewide class of individuals and businesses who sustained damages resulting from the receipt of unsolicited facsimile advertisements. *Phillips Randolph Enterprises, LLC v. Key Art Publishing Co.*, No. 07 CH 14018 (Cook Cnty, IL).

Constitutional Violation — \$175,000 recovery for a nationwide class of individuals who were wrongfully issued automated construction zone speed enforcement tickets on a highway that was not under construction. *Black, et al. v. City of Girard, Ohio, et al.*, No. 18 cv 1256 (Trumbull Cnty, OH).



Improper Health Club Memberships — Recovery for a statewide class of individuals whose health club membership agreements provided for improper membership terms. *Izak-Damiecki v. World Gym International, LLC*, No. 10 CH 18845 (Cook Cnty, IL).

Illegal Lending Practices — Recovery, representing the maximum amount of statutory damages, for a nationwide class of customers who obtained loans whose terms violated the Truth in Lending Act, plus equitable relief to modify the loan contract to conform with the law. *Papeck, et al. v. T.N. Donnelly & Co.*, No. 09 CH 31997 (Cook Cnty, IL).

Privacy Violation — Recovery for a nationwide class of over 36 million consumers whose personal information was improperly disclosed. *Dudzienski v. GMRI, Inc.*, No. 07 cv 3911 (N.D. IL).

Unsolicited Faxes — Recovery for a statewide class of individuals and businesses who sustained damages resulting from the receipt of unsolicited facsimile advertisements. *Phillips Randolph Enterprises, LLC v. Home Run Inn, Inc.*, No. 08 CH 43273 (Cook Cnty, IL).

Privacy Violation — Recovery for a statewide class of over 60,000 consumers whose personal information was improperly disclosed. *O'Brien v. Paninos, Inc.*, No. 10 cv 2991 (N.D. IL).

Breach of Warranty — Recovery on behalf of a nationwide class of customers who had their warranty retroactively changed from a lifetime guarantee to a 90-day guarantee, plus equitable relief to reinstate the lifetime guarantee on the products. *Brady, et al. v. Learning Curve Int'l, Inc., et al.*, No. 06 CH 03056 (Cook Cnty, IL).

Privacy Violation — Recovery for a nationwide class of tens of thousands of consumers whose personal information was improperly disclosed. *In re Kathy Aliano v. Hancock Fabrics, Inc.*, No. 07-10353 (Del. BK).

Improper Debt Collection — Recovery on behalf of a nationwide class of individuals against whom attempts were made to collect a time-barred debt, in violation of the Fair Debt Collection Practices Act. *Ocasio v. First Financial Investment Fund V, LLC, et al.*, No. 15 cv 10167 (N.D. IL).

### **Pending Cases — Preliminary Approval of Settlement Granted**

Antitrust — \$20 million recovery for a nationwide class of individuals who purchased packaged seafood products from companies that conspired to fix prices in violation of the Sherman Act. *In re. Packaged Seafood Products Antitrust Litigation*, MDL No. 2670 (S.D. CA).

Data Breach — \$900,000 recovery for a nationwide class of individuals who had their personal and financial data stolen due to insufficient protection of that information by a mortgage servicer. *Schmitt v. SN Servicing Corp.*, No. 21 cv 3355 (N.D. CA).



### **Pending Cases — Appointed Class Counsel**

Improper Fee — Class action for a statewide class of individuals who were charged an improper fee by the state in connection with the issuance of a driver's license. *Madyda, et al. v. Ohio Dept. of Public Safety*, No. 19-426 (OH Ct. of Claims).

Invasion of Privacy — Class action for a nationwide class of individuals who were surreptitiously viewed and recorded using the toilets in holding cells. *Alicea, et al. v. County of Cook*, No. 18 cv 5381 (N.D. IL).

Environmental Contamination — Class action for a statewide class of individuals whose residential drinking water was contaminated with lead. *Henderson, et al. v. Aqua Illinois, Inc.*, No. 2019 CH 10191 (Will Cnty, IL).

Constitutional Violation — Class action for a statewide class of individuals who paid an unconstitutional firearms and ammunition tax. *Boch, et al. v. Cook County, Illinois, et al.*, No. 21 CH 5485 (Cook Cnty, IL).

### **Pending Cases — Appointed to Executive Committee**

Misleading Product Claims — Class action for a nationwide class of individuals who purchased defective cheese products based on misleading representations. *In re 100% Grated Parmesan Cheese Marketing and Sales Practices Litigation*, MDL No. 2707 (N.D. IL).

### **Pending Cases**

Fraud — Class action for a statewide class of individuals who were wrongfully issued automated red light tickets by red light cameras that were installed in violation of state law.

Unpaid Overtime — Class action for a nationwide class of individuals who were not paid all wages and premium overtime for hours worked in excess of forty hours per week.

Constitutional Violation — Class action for a statewide class of individuals who were improperly denied pandemic unemployment assistance benefits because the governor of their state refused to accept those federal benefits and distribute the money to the individuals.

Improper Debt Collection — Class action for a nationwide class of individuals who were sent misleading debt collection letters, in violation of the Fair Debt Collection Practices Act.

Data Breach — Class action for a statewide class of individuals who had their personal, financial, and medical data stolen due to insufficient protection of that information by a hospital.

Violation of RESPA Act — Class action for a nationwide class of borrowers who were denied the requisite loan modification options, as required by the Real Estate Settlement Procedures Act.

Constitutional Violation — Class action for a nationwide class of individuals who were wrongfully issued automated traffic speed enforcement tickets by a municipality that was denied authorization to issue the tickets.

Invasion of Privacy — Class action for a nationwide class of individuals who received unauthorized telemarketing calls to their phones.

Consumer Fraud — Class action for a nationwide class of individuals who were defrauded when their printers were disabled from using third party toner under the guise of a firmware update.

Breach of Contract — Class action for a statewide class of individuals who are members of athletic clubs that unilaterally terminated their rewards program without notice.

Antitrust — Class action for a nationwide class of individuals who purchased packaged seafood products from companies that conspired to fix prices in violation of the Sherman Act.

Environmental Contamination — Class action for a statewide class of individuals whose residential drinking water was contaminated with lead.

Constitutional Violation — Class action for a statewide class of individuals whose homes were wrongfully taken by the government without adequate compensation.

Fraud — Class action for a nationwide class of individuals who were deliberately targeted through marketing and sales of electronic cigarettes when they were minors.

Defective Product — Class action for a nationwide class of individuals who purchased a defective product that was contaminated with *Salmonella*.

Consumer Fraud — Class action for a statewide class of individuals who were denied loans due to improper banking practices.

Breach of Contract — Class action for a nationwide class of individuals who paid for continuous printer toner and ink, but the company failed to deliver it as promised.

Consumer Fraud — Class action for a nationwide class of individuals who paid inflated prices for a product.

Bankruptcy Violation — Class action for a nationwide class of individuals against a company that took their money in violation of the bankruptcy automatic stay.

Fraud — Class action for a statewide class of individuals who were charged and paid an excessive fee to obtain documents from their condominium associations.

Defective Product — Class action for a nationwide class of individuals who purchased a defective product that caused liver failure.

*Data Breach* — Class action for a nationwide class of individuals who had their personal, financial, and medical data stolen due to insufficient protection of that information by their employer.

*Fraud* — Class action for a nationwide class of individuals who were charged and paid for a greater quantity of a product than they received.

**NOTE:** This list of cases is a representative sample of some of the class action lawsuits. It is not an exhaustive list.